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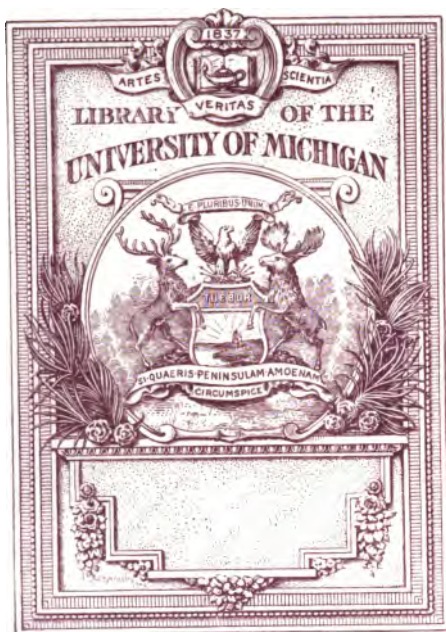
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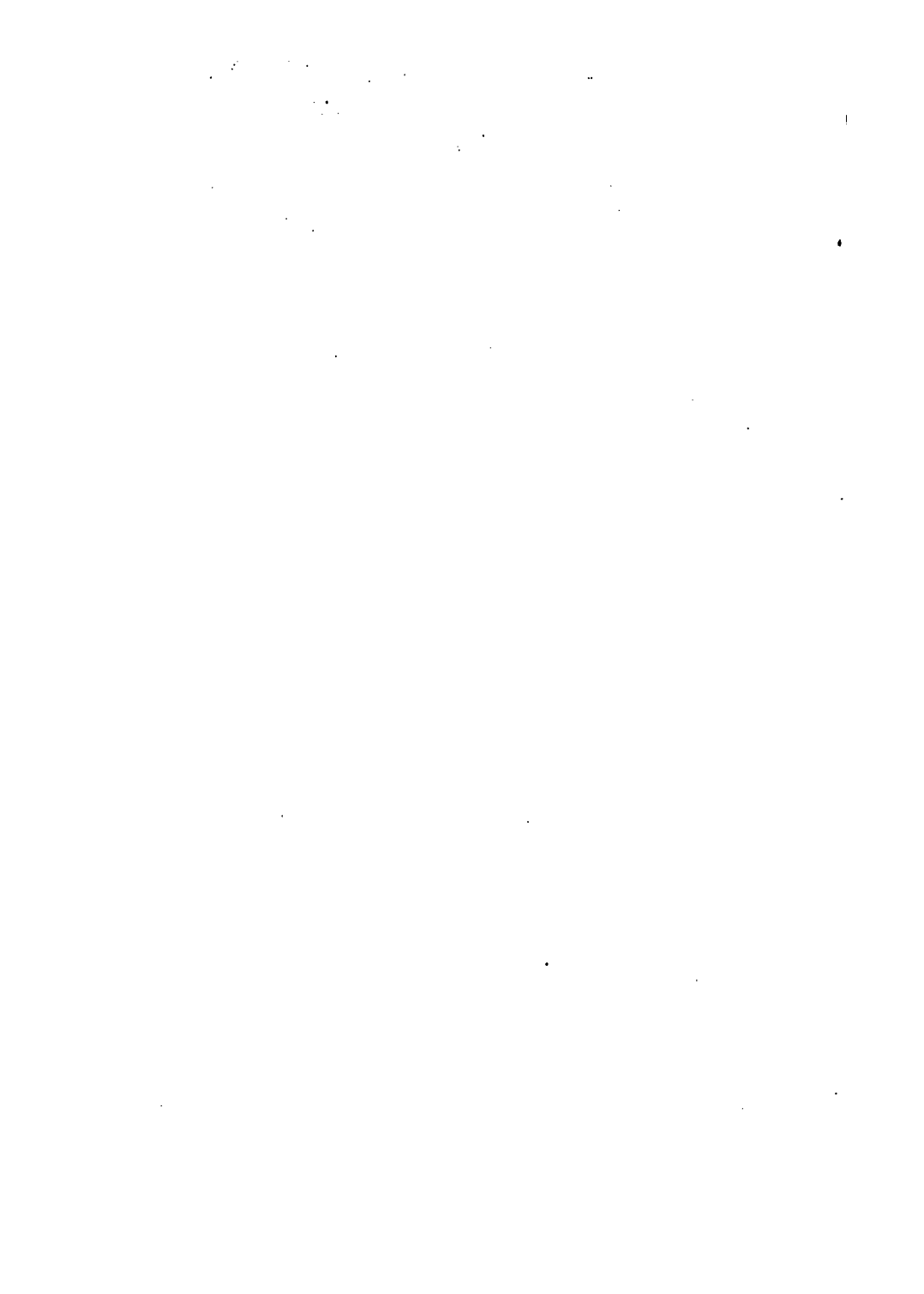
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RULES AND REGULATIONS
FOR THE
NATIONAL GUARD
OF THE
STATE OF CALIFORNIA
1906



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California, Legislative Department's office.

RULES AND REGULATIONS

FOR THE

**GOVERNMENT OF THE NATIONAL
GUARD OF CALIFORNIA**

PREPARED AND PUBLISHED UNDER THE SUPERVISION OF

BRIGADIER GENERAL J. B. LAUCK
Adjutant General, State of California

BY AUTHORITY OF SECTION TWO THOUSAND ONE HUNDRED AND
THREE, POLITICAL CODE

SACRAMENTO, CALIFORNIA

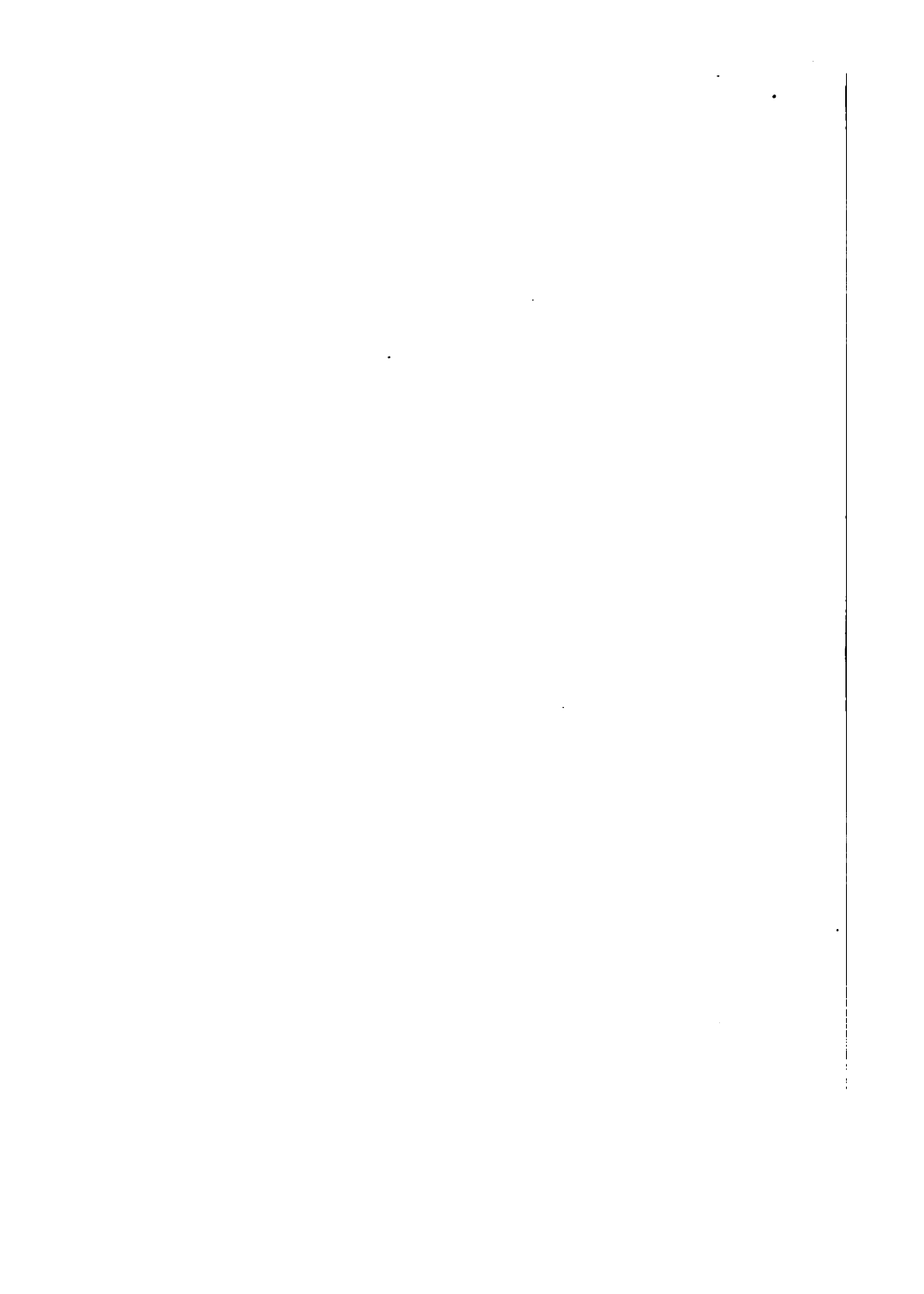
1906

PRINTED AT THE STATE PRINTING OFFICE, SACRAMENTO, CAL.
W. W. SHANNON, SUPERINTENDENT.

In formulating these Rules and Regulations for the National Guard of California, those of many other states were examined. Through the courtesy of the Adjutants General of Massachusetts, New York, Illinois, and Georgia, where Rules and Regulations are well considered as to ordinary military service and usages, as well as to circumstances that may arise requiring adjustment by the use of troops, a number of their rules are, to some extent, made use of in this volume.

The requirements of the United States Army Regulations are followed as nearly as possible in regard to all rules, consistent with the Political Code, which apply to the government of the National Guard, and it is enjoined upon all concerned to carefully read the instructions set forth and to carry them out with a good understanding, and in the spirit of good faith.

176432



STATE OF CALIFORNIA,
ADJUTANT GENERAL'S OFFICE,
Sacramento, March 1, 1906.

In conformity with the provisions of section two thousand one hundred and three of the Political Code, the following Rules and Regulations for the government of the National Guard of California have been approved by His Excellency Governor George C. Pardee, Commander-in-Chief, and by him ordered to be published for the information and strict observance of all concerned.

In matters of official requirements pertaining to the Military and Naval Rules and Regulations, and not expressed in this volume, the Regulations of the United States for these branches of the service will govern in all cases not inconsistent with the laws of the State.

J. B. LAUCK,
Adjutant General.



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RULES AND REGULATIONS

GOVERNING THE

NATIONAL GUARD OF CALIFORNIA.

The unenlightened too often regard military administration, in its broadest meaning, simply valorous occupation or an ordinary profession essential in time of war or domestic conflict; those who are informed know that it is a science, and a science of a most complicated kind, the thorough study of any branch of which would absorb more than ordinary length of time. To possess the elements of the administration required in active military operations it is necessary to have learned its purpose, its rules, the expedients employed to organize troops, to arm, to equip, to account for, to put in movement, to subsist in health and sickness, to direct on the field of action, to profit by successes, to repair defeats, to recompense and preserve the traditions of heroic or calamitous deeds. There is, perhaps, no profession in the world more honorable and so abounding with rules, regulations, and customs affecting personal action, personal advancement, and personal reward, as the profession of arms.

Regulations imply regularity; they signify fixed forms, and certain order, methods, precise determination of functions, rights, and duties. The power of the Executive to establish rules and regulations for the government of the National Guard of California is undoubted. The power to establish implies, necessarily, the power to modify or repeal, or to create anew. The Adjutant General of the State is the legal organ of the Commander-in-Chief for the administration of the military establishment of the State, and rules and orders publicly promulgated through him must be received as the action of the Executive, and as such be binding upon all within the sphere of his legal authority. Such regulations can not be questioned or defied because they may be considered unwise or mistaken.

These regulations define instructions for the guidance of the officers and enlisted men of the National Guard of California, and depend on the manner, spirit, conduct, and character of those who obey or carry orders into effect.

In all armies subordination, in a *purely military sense*, must be well understood and honorably maintained. Its importance can not be too often brought to notice, as many circumstances resulting from the character of our institutions, and from the situation and duties of troops, make this a distinctive feature under all conditions in connection with the well-being of military organizations. It often happens that superficial observers criticise essential methods in this respect; where such a tendency is apparent in the service, the performance of military duty is both difficult and unreliable. The man who can not obey, or who habitually questions authority, can not command.

The officer who should suppose that due attention to parade, drill, and duties in armories and camp constitutes a full discharge of the obligations imposed by his commission, would take an imperfect view of his position. There is a moral responsibility resting on all who exercise authority over any portion of their fellow-men, and this responsibility rests with peculiar weight on the officers in consequence of the power with which the cause of discipline renders it necessary that they should be intrusted. And this clearly imposes upon them the duty of striving to acquire a moral influence and control over their subordinates, which shall not only temper, while it strengthens, the power conferred by military laws, but give additional strength and energy to the action of the soldier when obeying the orders of one whose bearing inspires confidence, and whose high soldierly qualities excite admiration and awaken attachment.

It is the character and conduct of the gentleman that must secure this moral power for the officer. He who seeks to obtain it must be refined in manner and courteous to all; he must be just and honorable in his most trifling dealings, his word must never be doubted, and his language, more especially to his inferiors in rank, must always be clear and distinct, free from ambiguity, and admit of no doubt. The officer should be distinguished in his military work, and be as familiar with courteous accomplishments as with professional attainments.

Properly to use the control acquired by such conduct and bearing, the officer must exert his best efforts to repress the evil and call forth the good qualities of his subordinates, as the highest worth, merit, and excellence are to be found in the humblest ranks.

The uniform should represent generous and lofty sentiments, and he who wears it must never forget that he belongs to the country which, by the skill and valor of its sons, has a distinction none greater in civilization, and whose soldiers and sailors have never yet found their superiors in fair and equal conflict. In the conduct of troops it is a wise conclusion to respect the manners, feelings, and even the prejudices of the people among whom they are placed. Elevating as these reflections are, they must never for an instant be allowed to justify idleness, or laxity in the work of military improvement.

ARTICLE I.

MILITARY DISCIPLINE.

1. Without discipline an organization is of little or no value. Discipline in military affairs is a general designation for the rules and regulations prescribed and enforced for the proper conduct and subordination of officers and enlisted men. In a higher sense, discipline is the habit of unhesitating obedience. The individual acquires the habit of subordinating his own will and inclinations to those of his superior in rank; in this there is no yielding of self-respect, dignity, or personal rights. Subordination, in a military sense, must be understood to mean ready, willing, and graceful obedience rendered, on all points of duty, by inferiors in rank to superiors.

2. Members of the National Guard owe the State twofold duties: as citizens and as soldiers. Of these duties neither one conflicts with the other, and conscientious performance of his duties as a soldier makes a citizen most valuable as such to the State.

3. The citizen soldier, as officer or enlisted man of the National Guard of the State, whether under orders or on actual duty, is at all times subject to the military code, regulations, and orders issued by proper authority.

4. The first duty of a soldier, whether officer or enlisted man, is to obey orders strictly, and to execute promptly, cheerfully, and in good faith, all orders of his superiors in the military service.

5. Superiors must sustain their subordinate officers when they can do so consistently, and must never censure them in the presence of others, nor in a way likely to humiliate them.

6. Superiors are forbidden to injure those under them by tyrannical or capricious conduct, or by abusive language.

7. Military authority must be exercised with firmness, kindness, and justice. Punishments must conform to the law, and follow the offenses as promptly as circumstances will permit.

8. Official respect and courtesy, on all occasions, are enjoined upon officers of every grade.

9. Courtesy among military men is indispensable to discipline; respect to superiors will not be confined to obedience on duty, but will be exercised on all occasions. Familiarity between officers and enlisted men, and between non-commissioned officers and privates, is inadmissible when on duty. Perfect civility is compatible with the exercise of the strictest command.

10. Deliberations, discussions, statements, or remarks with regard to military matters, whether oral, written, or printed, by officers or enlisted men of the National Guard of this State, criticizing or reflecting upon others in the military service of this or of any other State, or of the United States, are prohibited. Moreover, every officer and every enlisted man is forbidden to publish, or permit the publication of, any official letter or report, whether written by himself or others, without the permission of the Commander-in-Chief, or to allow a copy of such document to pass into the hands of any person not authorized by proper authority to receive the same.

11. Official reports are the property of higher authority, and shall not be made public without the permission of such authority.

12. Officers and enlisted men shall not seek legislation on military matters, or preferment for themselves, except through the proper military channels.

13. An officer or enlisted man deeming himself aggrieved has a right to redress, and will request it through his immediate commanding officer. All commanding officers are enjoined to entertain such requests, promptly to make full inquiry into the matter, and, where necessary, forward result of said inquiry to next superior headquarters. A reasonable time having elapsed after such a request has been made, and no reply having been received to it, the officer or enlisted man making it has a right to repeat his request and forward it direct to the next superior headquarters, explaining the reason for thus forwarding it.

14. Each subordinate must have complete and exclusive control of his own command; and any orders or instructions to it must be issued to the commander.

15. Respect and obedience to the civil authorities of the land is the duty of all citizens, and more particularly of those who are armed in the public service. An individual officer or enlisted man who resists the civil authority subjects himself to the penalties inflicted by civil law on a civilian in like case. Combination or concert between two or more officers or enlisted men in such resistance is not only punishable as above, but renders each individual engaged liable to military punishment.

16. It is the duty of all commanding officers to restrain those under their control from all violations of the civil laws, and to aid in bringing the guilty to justice.

17. A civil officer charged with the execution of a civil process will, on making known his character and business to the satisfaction of the commanding officer, be permitted to execute his office.

18. Under the title "Aid to Civil Power" will be found regulations relating to the service necessary for the preservation of the peace.

ARTICLE II.

RANK AND COMMAND.

- I. Rank and precedence.
- II. Command.
- III. Succession in command.

I. Rank and Precedence.

19. Military rank marks the station of persons in the military service. It is divided into degrees or grades, which indicate the relative positions and powers of the different classes of persons possessing it.

20. The following are the grades of military rank in the United States Army, and so far as consistent with State law, they will apply to the National Guard of California:

1. Lieutenant general.
2. Major general.
3. Brigadier general.
4. Colonel.
5. Lieutenant colonel.
6. Major.
7. Captain.
8. First lieutenant.
9. Second lieutenant.
10. Veterinarian.
11. Cadet.
12. Sergeant major, regimental; sergeant major, senior grade, artillery; master electrician; master signal electrician.
13. Ordnance sergeant; post commissary sergeant; post quartermaster sergeant; electrician sergeant; sergeant first class, hospital corps; first class signal sergeant.
14. Quartermaster sergeant and commissary sergeant, regimental; chief musician.
15. Sergeant major, squadron and battalion; sergeant major, junior grade, artillery; color sergeant; chief trumpeter, principal musician; battalion quartermaster sergeant, engineers.
16. First sergeant; drum major.

17. Sergeant; quartermaster sergeant, company; stable sergeant, troop or battery.

18. Corporal.

In each grade, date of commission, appointment, or warrant determines the order of precedence.

21. The relative rank between the officers of the Army and Navy is as follows, lineal rank only being considered :

General with admiral.

Lieutenant general with vice admiral.

Major general with rear admiral.

Brigadier general with commodore.*

Colonel with captain.

Lieutenant colonel with commander.

Major with lieutenant commander

Captain with lieutenant.

First lieutenant with lieutenant junior grade.

Second lieutenant with ensign.

22. A person to whom a military commission has been issued can not perform the duties of his office until he has taken the oath of office; a duplicate thereof will be filed in the Adjutant General's office.

23. The date of rank inserted in commissions or warrants shall be the date of election or appointment.

24. All officers of the National Guard must take rank according to the date assigned them by their commissions, which date shall be that of their election or appointment; and when two of the same grade are of the same date, their rank must be determined, first, by the length of previous service as an officer of the National Guard; second, by the length of previous military service in the National Guard; third, by lot. Officers of the National Guard are in all cases of superior rank to officers of the enrolled militia of the same grade, irrespective of the dates of their commissions.

25. An officer appointed or elected to a position different from, but equal in grade with, the one he holds, and an officer

* The grade of commodore ceased to exist as a grade of rank on the active list of the Navy of the United States on March 3, 1899 (30 Stat. L., 971); the nine junior rear admirals are authorized to receive the pay and allowances of brigadier general in the Army.

who has been discharged or retired and reappointed or reelected to a position equal in grade to that held by him before his discharge or retirement, will retain his date of rank; except that officers already in the service shall not have their rank affected thereby.

26. A non-commissioned officer reenlisting within thirty days after receiving his discharge, and being thereupon reappointed to the same grade, may, at the request of his immediate commander, retain his warrant, upon which the enlisting officer shall indorse the facts in the case.

II. Command.

27. Command is exercised by virtue of office, or by special assignment of officers who are eligible by law to exercise command.

28. An officer not on duty with, or belonging to, any of the companies, battalions, regiments, or corps composing a command can not assume command or put himself on duty therewith, without orders from competent authority.

29. Each commanding officer is, within his own sphere, the representative of superior military power, and is to exercise his responsibility as authorized and limited by law and regulations. Except when an appeal is taken, he is not to refer to a higher commander any matter on which he himself is authorized to act.

30. The functions assigned to an officer by title of office devolve upon the officer acting in his place, except when otherwise specified. An officer in temporary command shall not, except in urgent cases, alter or annul the standing orders of the permanent commander, without authority from the commanding officer next superior to the permanent commander.

31. Whenever different organizations happen to join or do duty together, the officer of the line highest in rank, present and on duty, commands the whole.

32. When an officer is charged with directing an expedition or making a reconnaissance, without having command of the escort, the commander of the escort shall consult him touching all arrangements necessary to secure the success of the movement.

33. A staff officer charged with a particular reconnoissance or tour of inspection, accompanied by a detachment the commander of which may or may not be his superior, will, without assuming command, have a right to require that proper disposition be made to protect him in his operations; and the commander of the detachment shall refer to the staff officer for route of march, and periods of halting, marching, etc.

34. A staff officer sent with a working party, while he can not exercise command or give orders affecting the men, nevertheless has an advisory control as to the work that can not be ignored; and it is the duty of the officer in command of the working party to conform to his counsel. Should there be any conflict, the point at issue must be reduced to writing and be submitted to the proper superior. The staff officer gives orders in the name of his commanding officer, with reference to the character of the work and means of performance; and it is the duty of the officer in charge of the men to conform to these orders.

35. An officer placed in command of a post, detachment, guard, or separate force will not surrender his command to another officer unless regularly relieved, except in case of sickness or inability to perform his duty, when the officer of the line, next in rank, present and on duty, will succeed to the command.

36. Staff officers shall not assume the command of troops, unless placed in such command by authority of the Commander-in-Chief; but all staff officers exercise at all times command in their respective departments, and by virtue of their commissions they have the same authority over enlisted men in matters of discipline as is possessed by line officers.

37. When a commanding officer temporarily leaves his post, or command, to go beyond the limits of his immediate control, he shall notify his immediate superior and subordinate officer next in command of the fact and the probable duration of his absence. An officer called temporarily to command shall likewise notify the subordinate officer next in command.

38. An officer does not lose his command by reason of temporary absence; but in cases of great emergency, the senior field or company officer of the line, present for duty, will assume com-

mand and issue such orders as may be necessary, in obedience to orders received by him, and will forthwith transmit notice of the orders so received and issued by him, to the regular commander of the brigade, regiment, battalion, squadron, troop, battery, or company. The senior field or company officer present for duty in an armory has command for all purposes of discipline.

III. Succession in Command.

39. An officer who succeeds or relieves another in any command or duty will consider himself in precisely the same situation as his predecessor in regard to his duties; and whether superior or inferior in rank, shall be furnished for his information and guidance, by his predecessor, with copies of all orders and instructions in force at the time, and, so far as may be, with a statement in writing of the nature and purport of all verbal orders.

40. An officer permanently succeeded by another shall turn over to his successor all the public property in his possession, and all other property for which he is responsible, including books, blanks, files of orders, and documents; and the successor shall give him duplicate receipts, which shall specify the condition of each article.

ARTICLE III.

ORGANIZATION OF COMPANIES.

- I. Application to organize.
- II. If accepted, Adjutant General to make direction.
- III. Organization.
- IV. Company to be listed, etc.

I. Application to Organize.

41. The designation "company," as used in these Regulations, applies to all arms of the service. Whenever a sufficient number of persons, residents of any county in this State, subject to military duty, subscribe a call for the organization of a company, the Adjutant General, upon application of such persons, must present the same to the Commander-in-Chief for his action.

II. If Accepted, Adjutant General to Make Direction.

42. If such company is accepted, the Adjutant General must direct the brigadier general to appoint some person, resident of the county, to open a book in which to enter the names of persons so applying; and must fix a time and place of meeting for the purpose of organization, by giving ten days' notice thereof, by publication in some newspaper, or by posting notices in at least three public places in the county.

III. Organization.

43. The brigadier general shall appoint a suitable officer to preside at such meeting and organize the same; superintend the election for commissioned officers of the company, which must be by ballot; make out, after such an election, a list of persons organized, a certificate of each officer elected, together with a copy of the proceedings of the meeting, certified by him, and transmit them to the brigadier general commanding the brigade.

44. The brigadier general must transmit the same, if found correct, to the Adjutant General, who will give the necessary orders to muster the company into service.

IV. Company to be Listed, Etc.

45. If such company be organized and the officers elected in accordance with the provisions of law, orders, and regulations, the company must be taken up on the records of the Adjutant General's office as a company of the National Guard, and the officers elected, if commissioned, hold office for the term of four years if captains, three years if lieutenants.

46. Each company, troop, or battery may have not to exceed ten honorary members, who shall pay fifty dollars per annum into the company, troop, or battery funds, and shall thereupon be entitled to all the exemptions to which those on the active list are entitled, and shall not be required to drill or perform any military duty by reason of such membership.

47. Field artillery, when organized, will be governed by the rules, regulations, and usages of the United States Army for this branch of the service, in all requirements not inconsistent with State law.

ARTICLE IV.

OFFICERS.

- I. Election.
- II. Assignment.
- III. Resignation and vacation of commission.
- IV. Leave of absence.
- V. Retired list.

I. Election.

48. Officers, upon receiving orders for the assembling of electors, shall order such electors to appear at the time and place designated.

49. The qualifications of an elector are, for an officer, that he has been commissioned and qualified, and for a soldier, that he has been duly enlisted in the service of the State.

50. That disputes respecting the legality of an election may be avoided, commanding officers will carefully revise and correct their rolls or rosters before such election, and submit to the presiding officer a certified copy of the roll or roster and proper evidence of the notice given to the electors; and every officer who shall preside at an election shall report to the Adjutant General any commanding officer who shall have neglected this duty.

51. An officer who is detailed to preside at an election will inform himself upon all points of the military law relating to elections. (See section 1958, Political Code.)

52. The presiding officer shall sit in uniform, and the officers and members of the command over which he is called to preside shall also appear in uniform.

53. The presiding officer at an election should first read the order calling it and ordering him to preside. He will then call the names on the certified roster or roll, directing the men, in a company election, to fall in as their names are called; and after reading the order of notification or warning, and the certificate thereon indorsed, showing that proper notice has been given, will inquire if there is any objection to proceeding with the election, and if objection is made will record the objection and report it with his return of the election.

54. At elections for commissioned officers, a majority vote of the members present, qualified to vote, shall elect, a majority of those entitled to vote being present. Vacancies caused by promotion may be filled at any election, or postponed by a majority vote of the members.

55. No presiding officer shall proceed with an election unless a quorum, consisting of a majority of the electors, is present. No votes will be received for any candidate before the hour named in the order, and after such hour every legal ballot presented before the ballot is declared closed is to be received.

56. The presiding officer, having declared the ballot closed, will count the votes, after which he will announce and record the whole number, the number necessary for a choice, the number given for each candidate, and the result.

57. The record of the proceedings at an election must be signed by the presiding officer, and forwarded by him direct to the officer ordering the election, due notification being given by him to the regimental, battalion, or squadron commander of the result of the election.

58. The presiding officer will, immediately before the election, ascertain whether or not the candidate is eligible for office, and make report thereof, with the notice of election.

59. The presiding officer must, in case of protests against the right of any person to vote, and in all other matters arising at the time he is presiding, make his rulings, and any protests against such rulings must be made, and by the presiding officer noted, at once. The returns of election shall be accompanied by such protests to the authority ordering the election, who will decide the matter at issue; but this decision shall be subject to revision by the Commander-in-Chief, if appealed from.

60. An officer elected to any commission, who fails to pass the examination fixed by the examining board, shall not be eligible to reelection for the same commission until after the expiration of one year from the date of the failure. (Sec. 1954, Political Code.)

61. It being of the greatest importance that the best selections possible shall be made for the officers of every command, it

is made the duty of the commanding officer of every command to see that every member is notified to attend the election, and that the law, orders, and the by-laws of the command are fully complied with. When not in conflict with the State laws and regulations, the by-laws of companies which have been duly approved by the Commander-in-Chief shall have full force and effect in all elections, and no one shall be entitled to vote who is prohibited by the provisions of such by-laws.

62. All officers will continue on duty with their commands until their successors have been appointed and qualified; or in case of resignation, until their resignations have been accepted and announced in orders. All officers of the National Guard will hold their offices and continue to perform their duties until properly relieved.

63. All appeals from election shall be made in writing, subscribed by the person appealing, and shall briefly set forth the grounds of appeal; statements of facts and arguments connected with the appeals will also be submitted in writing.

64. Every appeal from the proceedings of an election shall be made to the Commander-in-Chief, and a copy thereof served on the officer who presided at the election, and the officer declared to be elected, within ten days after the day of holding such election; and the Commander-in-Chief, on receiving such appeal, may issue his orders appointing the time and place for the hearing thereof.

65. The form of oath administered, and of subpoenas and process used, by an officer designated by the Commander-in-Chief to take testimony on such an appeal, shall follow substantially the forms prescribed in like instances for general courts-martial.

66. A person whose election has been appealed from, and whose election has been decided as valid, shall be allowed fourteen days, after the notification of the final determination of the appeal, in which to appear before the examining board for examination. If the officer fails to report himself ready for the examination by that time without acceptable reasons, a new election shall be ordered.

67. A new election shall be ordered in all cases after the expiration of ten days from the date of receipt of notice that the person elected to any commission has failed to pass the examining board, declined for any reason to qualify, or when in cases of appeal it has been finally decided that the election is not valid.

68. No appeal from the proceedings of any election for commissioned officers shall be allowed, unless the person making the appeal shall have been qualified to vote at such election, or shall have been voted for as a candidate thereat.

69. A person dishonorably discharged, dismissed, or cashiered from any military service, or who has been convicted of a felony, shall not be eligible for membership in the National Guard.

70. An elected officer's term of office shall commence on the date of qualification, and will expire, in the case of regimental field officers, and captains, four years from that date, and in case of lieutenants three years from that date. Applications for elections should be made so that the elections for new terms may be held on or about the time of the expirations of current terms. If such applications are not made, elections should be ordered without them. No officer shall be permitted to extend his term by neglecting to apply for a new election.

71. Captains of companies, troops, or batteries will be required to give new bonds for each term of four years.

II. Assignment.

72. Commanding officers may, when necessary, within the limits of their commands, assign officers to temporary duty with organizations other than their own, or to staff duty.

III. Resignation and Vacation of Commission.

73. Resignations of all officers shall be in writing, addressed to the Adjutant General, specifically stating that the resignation is "tendered," and shall be transmitted through intermediate commanders, who will indorse the same with their approval or disapproval. The address of officers shall accompany their tender of resignation.

74. No officer will be considered out of service on the tender of his resignation, until it has been duly accepted. Any officer who, having tendered his resignation, shall, prior to due notice of its acceptance, and without leave, quit his proper duties, with the intent to remain permanently absent therefrom, shall be considered as absent without leave.

75. As a general rule, resignations tendered by officers when under orders to perform a special service will not be considered.

76. Resignations tendered under charges, when forwarded by any commander, will always be accompanied by a copy of the charges, or in the absence of written charges, by a report of the case, for the information of the Commander-in-Chief.

77. Resignations shall contain full and complete reasons therefor; and commanding officers shall not approve such resignations, unless such are satisfactory.

IV. Leave of Absence.

78. When troops are on active duty, an officer shall not absent himself from his command for any period, without most urgent reasons approved by proper authority. Under these circumstances, very limited absence may be granted by the highest commander on duty with the troops.

79. Under ordinary circumstances, an officer shall not absent himself from his command or military district for more than two weeks without obtaining a leave of absence from the proper authority. Leaves of absence are given in special orders, and may be granted for good and valid reasons. Officers desiring leaves of absence for more than thirty days will make their applications through channels to the Adjutant General. For any period beyond the fourteen days allowed without leave, and less than thirty days, leave of absence may be granted by the brigade commander. Enlisted men wishing furloughs to go beyond the jurisdiction of the company, troop, or battery commander, but within the limits of the regiment, squadron, or battalion, for thirty days or more, will apply to the company, troop, or battalion commander for such furlough; if they wish to go beyond the limits of the regiment, squadron, or battalion, they must apply

to the regimental, squadron, or battalion commander; if beyond the limits of the brigade or State, to the brigade commander. Independent organizations must apply to their brigade commanders.

80. In time of war, insurrection, or disturbance of the peace, leaves of absence can be granted by the Commander-in-Chief only.

81. Leaves of absence will not be granted during the period of an encampment for instruction, but temporary absence of officers from camp may be allowed for cogent reasons at the discretion of the commanding officer. In no case will leave of absence be granted so that a company be left without a commissioned officer, nor will leave of absence be granted which would leave a regiment without a field officer.

82. Application for leave of absence on the ground of physical disability must be accompanied by a certificate of a medical officer of the National Guard, which certificate shall set forth the nature of the disability, and that the applicant will not be fit for duty for a specified period.

83. Leave of absence, unless otherwise specified in the order, commences on the day of the receipt of the order, or the date of being relieved from duty.

84. An officer granted leave of absence shall, before taking advantage thereof, report to his immediate commander his address for the period of his leave.

85. An officer returning to duty from a leave of absence must report, in writing, on or before the day his leave expires, through the proper channel, to the officer by whom his leave was granted, and forthwith make himself acquainted with all orders issued during his absence.

86. When on active duty, requests of enlisted men of companies for permission to absent themselves for twenty-four hours or less may be made verbally to their respective first sergeants before guard-mounting. The first sergeant will prepare the passes, obtain the indorsements of the company commanders thereto, and take them to the adjutant's office. Applications of regimental and battalion non-commissioned staff officers will be made to the sergeant major; and of the musicians to the drum major.

V. Retired List.

87. Any commissioned officer who has become disabled from longer performing the active duties of his office may, upon his own application, be placed on the retired list; provided, that such disability shall have been incurred while in the performance of duty.

88. If an officer for the above reason desires to be placed on the retired list, he shall make application to the Commander-in-Chief to appoint a board of surgeons, who shall examine him as to his disability, and if such disability has not been incurred by reason of any dereliction, they shall, if they deem proper, recommend that his application be granted; and upon approval of such application by the Commander-in-Chief, the Adjutant General shall issue orders retiring such officer.

89. Any commissioned officer who shall have served as such in the National Guard of the State for a period of eight years, may, upon his own application, be placed upon the retired list and withdrawn from active service and command with the rank held by him at the time such application is made. And any commissioned officer who shall have at any time heretofore served as such in the militia or National Guard of the State for a period of eight years, shall, upon his own application and due proof of such service, be placed upon the retired list with the rank held by him at the time of the expiration of his commission. Upon applications as above provided being duly made and approved, the Commander-in-Chief shall cause orders to be issued retiring the officer who makes application therefor, in accordance with section 1963, Political Code; provided, however, that nothing therein contained shall be construed to permit the placing on the retired list of any officer who shall have been dishonorably dismissed from the service.

90. The officers on the retired list shall only be subject to detail for duty by orders from the Commander-in-Chief; and he shall cause to be issued such orders as he may deem necessary, detailing them for duty upon boards of officers for military purposes, courts-martial, and courts of inquiry, and for such other military duties as, in his judgment, may be advisable. When, however, officers on the retired list are detailed for active duty

other than upon boards of officers, courts of inquiry, and courts-martial, they shall be only entitled to pay of the rank which properly belongs to the office the duties of which they are detailed to perform. When the duty ends, or the detail is canceled, the officer shall again return to the retired list with his former retired rank. A roster of all officers on the retired list shall be kept in the Adjutant General's office. These officers will keep the Adjutant General's office advised of their places of residence and availability, and when not on duty as expressed herein, will communicate direct with the Adjutant General.

91. Officers on the retired list may return to the active list by appointment or election, and when such term of appointment or election shall cease, may, upon application, be returned to the retired list with the rank previously held by them on the retired list.

92. Officers on the retired list shall, on all occasions of duty, and all occasions of ceremony, take rank next after officers of like rank on the active list.

ARTICLE V.

ENLISTED MEN.

- I. Enlistment.
- II. Discharge.
- III. Desertion.
- IV. Transfer.
- V. Furloughs and passes.

I. Enlistment.

93. Any male who is a citizen of the United States, or has declared his intention to become a citizen, of more than eighteen and less than forty-five years of age, able-bodied, free from disease, of good character and temperate habits, may be enlisted in the National Guard of the State for a term of not less than three years; provided, that any man having served one enlistment satisfactorily may reënlist for one, two, or three years at his option; and provided further, that boys may be enlisted as musicians, if more than sixteen years of age. No minor shall be enlisted without the written consent of his parent or guardian.

94. A man who has been expelled or dishonorably discharged, or discharged without honor, from any military organization of the State or United States, shall not be eligible for enlistment or reenlistment.

95. Men who have been discharged by reason of disbandment may be enlisted, and shall receive credit for the period served at the time of such disbandment. Bandmasters, drum majors, chief trumpeters, members of the hospital corps, and musicians may be enlisted as such.

96. The reputation and usefulness of the National Guard depend in very great measure upon the character and qualifications of the men enlisted, and officers charged with the responsible duty of recruiting should fully appreciate its vital importance and perform it accordingly.

97. Applications or propositions for membership in any troop, company, organized corps, or naval division of the National Guard shall be made only at a regular weekly meeting or assemblage of such organization; and the names of such applicants shall be posted in a conspicuous place in its headquarters or armory, until the next succeeding regular weekly meeting or assemblage of such organization, at which time, and not before, such applicant may be balloted for.

98. The officer making an enlistment will not allow any man to be deceived or inveigled into service, but will in person explain the length of term, the nature of the service, and other obligations, to every man before he signs the enlistment paper or takes the oath.

99. After the nature of the service and terms of enlistment have been fairly explained to the applicant, the officer will read to him and offer for his signature the following application, which will be filed with the records of the company:

APPLICATION TO ENLIST.

(place and date.)

To the officers and members of Company —, National Guard of California:

I hereby declare that it is my desire to become a member of your company, and to that end have authorized — to propose my name as a candidate for membership; I am a citizen of the United States (or have declared my intention of becoming a citizen), and a native of —; I am — years of age; my

height is _____ feet _____; and my occupation is _____. If admitted to membership I will perform all the duties required by the laws and regulations for the government of the National Guard of California, and the by-laws of your regiment and company. I will obey the orders of my superior officers, and endeavor to become a good and efficient soldier. I have _____ been previously in the military service, as follows: _____.

That the above is a full and complete statement of any and all service rendered by me, and I have only served as stated.

Name, _____.

Residence, _____. Place of business, _____.

Signed in the presence of _____.

To this form the member proposing a candidate shall append the following declaration:

I hereby present the name of _____, as a candidate for membership in this company, believing that he is morally and physically qualified to discharge the duties of membership, and that he will make a good and efficient member.

Name, _____.

Residence, _____. Place of business _____.

Place, _____. Date, _____, 190-.

100. Consent in case of minor:

I, _____, do hereby certify that I am the _____ of _____, and that the said _____ is _____ years of age; and I do hereby freely give my consent to his volunteering and becoming a soldier in the National Guard of California.

Given at _____, the _____ day of _____.

Witness: _____.

101. All officers and enlisted men of the National Guard, on becoming members and before performing duty and at each subsequent enlistment, must take and subscribe the following oath, which all commissioned officers thereof are authorized to administer: "I do solemnly swear that I will support the Constitution of the United States and the State of California, and will maintain and defend the laws and all officers employed in administering the same." The oath of enlistment must, in all cases, be sworn to in duplicate; one copy will be forwarded to the Adjutant General, and one copy filed with the records of the company.

102. Before a man can enlist or reënlist, he must pass a medical examination as to his physical fitness for the service. In case of a regiment, the companies of which are scattered in such a manner that the applicants for enlistment can not be examined without much expense, the brigade commander will order a medical officer to travel to the armories of companies

having such applicants, notifying the company commanders of such visit, and ordering them to have the applicants ready for examination at a stated time.

103. Commanders of companies are charged with the duty of, and will be held responsible for, the enlistment of proper persons who volunteer in their commands. Only such as have been duly elected shall be enlisted. In a cadet company, when authorized, the colonel of the regiment to which such company is attached is responsible for the enlistment of proper persons.

104. Commanders of regiments and companies will exercise great care that their rolls are kept free from inactive members, and they are required to properly discharge, in orders, all members who have been received or retained as members contrary to the provisions of law and of these regulations; and they are strictly forbidden to recommend the issuance, to any such person, of a certificate of service, or exemption from military service.

105. Enlistment papers must be filled out in a fair and legible hand. The real name of the recruit must be ascertained, and written in the same way whenever it occurs. The name must be written in full.

106. Whenever a soldier reënlists, the officer who enlists him will indorse on the enlistment "second" or "third," etc., enlistment, as the case may be. Enlistments must in no case be antedated.

107. Commanding officers may enlist, for service in their hospital corps and field music, men suitable for such service, to the number authorized by law, upon the recommendation of their senior medical officer or regimental adjutant.

108. All officers and enlisted men of the National Guard, who comply with all military requirements as provided by law and regulations, are entitled to the following privileges and exemptions, viz.: Exemption from road tax and head tax of every description, except poll tax provided for in article thirteen, section twelve, of the Constitution; exemption from jury duty, and service on any posse comitatus.

109. All officers and enlisted men who have faithfully served in the military service of the State for the space of seven con-

secutive years, or eleven years not consecutive, and received the certificate of the Adjutant General certifying the same, are thereafter exempted from further jury duty and military duty, except in time of war. And the Adjutant General must issue such certificate of exemption when it appears that the party applying is entitled to the same.

110. Officers and enlisted men heretofore or hereafter discharged or mustered out of the service by reason of the disbandment or consolidation of any organization, or by the provisions of any act of the legislature, shall be, and the same are hereby, entitled to all the privileges and exemptions mentioned in section 2098, Political Code, upon making a proper application therefor; provided, they shall have served at least five years continuously in the National Guard.

111. Former members of the National Guard who have been honorably discharged for "expiration of term of service" or on account of "removal" and have returned to the limits of their commands, and officers who have resigned, have been honorably discharged, or whose terms have expired, who reënlist or reënter the National Guard within ninety days from the date of their discharge or the expiration of their term of office, will be given credit for continuous service and the enlistment considered consecutive.

112. No certificate of service, or exemption from service, shall be issued to any person who does not perform active duty as a regular member of a company; nor shall any commutation or payment of any sum of money by any such person, for any purpose whatever, be received in lieu of actual duty. This shall not apply to honorary members authorized by section 2102, Political Code.

113. Service by any person in the United States Volunteers, or in the United States Army or Navy, in time of war, insurrection, or rebellion, shall be considered as continuous service in the National Guard for any and all purposes regarding privileges and exemptions provided by law for members of the National Guard by enlistment or commission; provided, that continuous service for an officer shall include only the time he was commissioned as such.

II. Discharge.

114. An honorable discharge shall be issued under the following circumstances, namely: to a man who has faithfully performed his duties during each term of service as required by the conditions of his enlistment or reënlistment, or during his total service, and who has been lawfully relieved of all responsibility for public property issued to him, and from all accountability to his organization. Unless unavoidable circumstances intervene, such discharge will be furnished the enlisted man at once upon the expiration of his term of service, which term will date from the taking of the oath of enlistment or reënlistment. Proper steps will be taken in due time for the settlement of the soldier's accounts and responsibility for property, and forwarding the necessary papers so as not to withhold the discharge after it is due.

115. Any enlisted man may be honorably discharged before the expiration of his term of service by order of the commanding officer of the regiment or unattached battalion, or, if a member of an unattached company, troop, or battery, by the brigade commander or the Commander-in-Chief, upon the recommendation of his commanding officer, for any of the following reasons:

(a) To accept promotion by commission;

(b) Upon removal of residence from the State, or out of the bounds of the command to which he belongs to so great a distance that, in the opinion of the commanding officer, he can not properly perform his military duty;

(c) Upon disability established by certificate of a medical officer;

(d) To a man rendered supernumerary by the reduction of the organization of which he is a member, or who is a member of an organization which shall be disbanded.

116. A dishonorable discharge shall be issued:

(a) To a man sentenced by a general court-martial to be so discharged;

(b) To a man convicted of a felony in a civil court;

(c) To a man for neglecting or refusing to pay any fine imposed by any military court within thirty days after it was imposed.

A discharge without honor shall be issued:

(a) Whenever the commanding officer of a company shall approve the application of two thirds of the members of the company requesting the discharge of an enlisted man thereof; and if, at a regular meeting of a company, or at a meeting called for that purpose, two thirds of the members of the company desire by vote the discharge of one of their members, an application for the discharge of such soldier shall be made by the commanding officer thereof;

(b) To a man whose immediate commanding officer applies for his discharge. The application for this discharge shall be directed to the officer authorized to issue it, and shall briefly state the grounds on which the discharge is applied for. The man whose discharge is applied for shall be entitled to be heard in person to explain the statements contained in the application and shall have ten days' notice of such hearing. A copy of the application and the notice of the time and place of hearing shall be served on the man in the same manner as warnings for duty are given.

117. The officers authorized to issue the discharges hereinbefore specified are:

1. The commanding officer of a regiment, or a battalion or squadron not part of a regiment;
2. The commanding officer of a brigade for any organization attached to the brigade, and not above specified;
3. The commanding officer of the Naval Militia, for organizations of the Naval Militia.

118. The officers authorized to issue discharges mentioned in the foregoing paragraphs may also, upon application by company commanders, discharge without honor any enlisted man who habitually absents himself from the drills and instructions of his organization, or has shown a lack of interest in his military work sufficient to warrant the same.

119. Every member of the National Guard dishonorably discharged from the military service of the State of California shall be disfranchised for the period of one year next ensuing such discharge, in addition to penalties provided in section 1967, Political Code.

120. No enlisted man dishonorably discharged from the National Guard shall be permitted to again enter any company of the National Guard, or to be commissioned in the National Guard, except the offense be pardoned by the Commander-in-Chief. This shall also apply to men discharged without honor.

121. The discharge papers for enlisted men whose terms of service expire will be prepared and signed by their company, troop, or battery commanders, and forwarded to the proper authorities for examination and signature. These officers will carefully compare the discharge so forwarded, with the records, and if found correct, will sign and return them to company, troop, or battery commanders for issue, making a report to the Adjutant General through proper channels, within one week thereafter, of the men so discharged.

122. Blank discharge papers for enlisted men whose terms of service expire will be kept in the personal custody of company, troop, or battery commanders, who will be held responsible that none are improperly issued, and that no names of men whose terms have expired are retained on the rolls.

123. In no case will discharge papers be signed in blank or issued in duplicate.

124. On the discharge blanks to be issued for enlisted men will be printed a form to indicate character and eligibility for reenlistment. Great care will be taken that no injustice will be done the soldier.

125. In case of reenlistment of a non-commissioned officer whose warrant is to continue in force, a memorandum in the prescribed form, showing the continuation of the warrant, will be made on the back of the discharge, to be signed by the regimental commander, and the continuation of the warrant will be noted in the current monthly return.

126. Applications for discharges must be made on the forms provided by the Adjutant General.

127. A company commander deeming one of his men permanently physically unable to perform duty, may make application to the proper officer for his examination by a medical officer, and if thereupon the proper certificate of disability is given, may

apply for the discharge of the soldier. In like manner an enlisted man may himself apply through proper channels for a medical examination.

128. Company, troop, or battery commanders will exercise the greatest vigilance regarding the truth of alleged reasons for discharge, satisfying themselves that such exist as stated, before permitting themselves to make or approve applications.

129. Dishonorable discharges will have the word "Dishonorable" written diagonally across their faces in large characters, with red ink, and the reenlistment clause will be erased by a line. A discharge without honor will be so marked.

III. Desertion.

130. Desertion is one of the most heinous and disgraceful of military crimes, involving an entire loss of personal and soldierly honor. It is a flagrant violation of a solemn duty which a soldier owes his country, and renders the perpetrator amenable to the severest punishment, not only for quitting his colors, but for violation of his oath.

131. When called into service in time of war, insurrection, disturbance of the peace, etc., to secure prompt arrest and punishment of deserters, commanders of companies will, immediately after a desertion, forward direct to the Adjutant General a descriptive list of the deserter, giving his place of residence, a full personal description, and any facts which may aid in his discovery and apprehension.

132. A deserter under these circumstances, when captured, or when voluntarily surrendering himself, will be brought before a court-martial according to the Articles of War of the United States.

133. When called into service in case of war, insurrection, or disturbance of the peace, any enlisted man absent without proper authority from his post or command for a period exceeding ten days, shall be considered a deserter, and if apprehended he shall be tried by military court. An officer so offending shall be brought to trial by court-martial, or dropped from the roll of the service, without honor.

IV. Transfer.

134. Commanders of regiments, battalions, or squadrons not part of a regiment may, upon application of company commanders, transfer an enlisted man from one company or troop to another; in which case he will immediately notify the Adjutant General, through proper channels.

135. In case an enlisted man desires to be transferred in a regiment, battalion, or squadron not part of a regiment, from one company or troop to another, he shall make application, stating his desires and reasons to his company commander, who will forward the application, with such indorsements as he may deem necessary, through proper channels to the commanding officer of such regiment, battalion, or squadron, for approval; from one regiment, battalion, or squadron not part of a regiment, signal corps, unattached troop or company to another in a brigade, through proper channels to the commanding general of the brigade. Transfer from an organization in one brigade to an organization in another brigade, by application through channels to the Commander-in-Chief. On approval, the Adjutant General will then issue the order for transfer.

136. The commanding officer of an organization from which an enlisted man is transferred will immediately furnish the commanding officer of the organization receiving him, a descriptive list, military record, percentage of duty performed in each year, and previous qualifications in small arms practice.

137. When necessary, commanding officers may transfer for service in their medical department from companies in their command, men suitable for such service, upon the recommendation of their senior medical officer, with the consent of the men themselves and that of their immediate commanding officer.

138. Transfers and consolidations of companies and regiments are made only by order of the Commander-in-Chief. Such transfers or consolidations will carry with them all commissioned officers as well as non-commissioned officers and men; but where the transfer is from one regiment to another, new commissions in the regiment to which the transfer is made will be issued to all commissioned officers, with the same rank which they held in

the regiment from which they were transferred. Should a consolidation create supernumerary officers, the Commander-in-Chief will designate such as are to be mustered out of service.

139. Non-commissioned officers must be reduced to the grade of private before they can be transferred. No transfer shall be made except upon the approval of the commanding officers of the organizations affected.

V. Furloughs and Passes.

140. A regimental commander may grant furloughs to the enlisted men of his command, in such numbers, and for so long a time, as he shall deem consistent with the good of the service. Ordinarily, however, not more than one tenth part of a regiment should be on furlough at one time, and except in case of imperative necessity, no furlough shall be given for more than six months.

141. A furlough commences on the day specified, and its expiration must find the soldier ready for duty with his company.

142. Form of application for furloughs may be prescribed by the Adjutant General. Company commanders will indorse thereon their approval or disapproval and forward them to regimental headquarters.

143. Furloughs will be sent to soldiers through their company commanders.

144. When troops are on duty, under the law in emergency, the senior officer present with them will regulate the issue of furloughs and passes as he may deem best for the interest of the service. In case of pressing necessity, passes may be granted for forty-eight hours, but not longer.

ARTICLE VI.

OFFICERS AND ENLISTED MEN.

- I. Arrest and confinement.
- II. Traveling on duty.
- III. Deceased officers and soldiers.

I. Arrest and Confinement.

145. Every officer shall have the power to part and quell quarrels, frays, and disorders, regardless of the rank and position of those concerned in them, whether such persons belong to his own or another regiment, company, or corps; and in such cases to order officers into arrest, and enlisted men into confinement, until their proper superior officer or officers are notified thereof, such notice to be immediately made or sent; and whosoever shall refuse to obey, or shall resist such officer, though of inferior rank, or who shall draw a weapon upon him or upon any non-commissioned officer or enlisted man called to assist him, shall be punished at the discretion of a court-martial.

146. Officers are not to be placed in arrest for light offenses. For these, the censure of the commanding officer will generally answer the purposes of discipline.

147. Any officer may arrest or order the arrest of enlisted men; privates will be turned over to the guard; non-commissioned officers will be confined to their quarters, but may be turned over to the guard in cases of an aggravated character.

148. A commanding officer may, at his discretion, determine not to place an officer or enlisted man under arrest before bringing him to trial, but continue him on duty after charges have been preferred and served, and up to the time of the trial, but such officer or enlisted man shall be considered in arrest during the time of trial, and until the promulgation of the findings of the court.

149. In camp, or on other continuous duty, first sergeants may be authorized by their immediate commanding officers to confine private soldiers. At the discretion of commanding officers they may be empowered to arrest and confine non-commis-

sioned officers, but only in cases of a serious nature. In general, only officers have authority to arrest or confine non-commissioned officers.

150. If an officer or enlisted man against whom charges have been preferred and approved, and upon whom a court-martial is ordered, shall not have been placed in arrest, the authority ordering the court shall, at the time of such ordering, cause the arrest to be made.

151. An officer in arrest may have his limits fixed by his commanding officer at the time of his arrest. Close confinement is not to be resorted to, unless under circumstances of an aggravated character. Unless in close arrest, when he is restricted to his quarters, an officer may go to and from his mess, if within the limits of his camp or post.

152. In ordinary cases, and where inconvenience to the service would result, a medical officer will not be put in arrest until the court-martial for his trial convenes.

153. Medical officers may be required to discharge their ordinary duties while under arrest.

154. The arrest of an officer, or confinement of an enlisted man, will be forthwith reported to his immediate commander. Arrest of an officer will be reported to the next superior by the officer making the arrest.

155. Non-commissioned officers for ordinary offenses are placed in arrest; only in grave cases are they put in confinement; and, if confinement is approved, reduction shall immediately follow.

156. Private soldiers and musicians are generally placed in confinement, unless their offenses are of such a light nature that immediate punishment sanctioned by custom or law, and not requiring court-martial, is sufficient.

157. Enlisted men should not be placed in confinement if their offenses are of such a light nature that censure by their commanding officer is sufficient. Extra tours of guard duty must not be given as a punishment.

158. Enlisted men in confinement awaiting trial will not be sent out to work with prisoners undergoing sentence, but may be sent out by themselves under guard. While thus confined, they will be given sufficient daily exercise under the supervision of a guard, and they may, in the discretion of the commanding officer, be required to attend drills and perform such fatigue duty as is habitually required of soldiers.

159. All guards shall receive enlisted men turned over to them as prisoners by an officer or by the authority of an officer, and they shall be responsible for the safe-keeping of the prisoners thus turned over to them.

160. All guards have authority to arrest enlisted men transgressing the rules of a camp or post, but such action must at once be reported by the commander of the guard to the officer of the day, and to the immediate commander of the man arrested.

161. Prisoners placed under guard, with written charges, signed by an officer, will not be released, except by direction of the commanding officer.

162. All persons under guard without written charges will be released by the old officer of the day at guard-mounting, he having first reported the facts to the commanding officer, and no specific orders to the contrary having been given by the latter.

163. An officer has no right to demand a court-martial either on himself or others, the Commander-in-Chief, or officer competent to order a court, being the judge of its necessity or propriety.

164. An officer who has been held in arrest without charges may be released, but will not himself terminate his arrest or resume his command without authority. If not released from arrest, or restored to duty, he will apply for appropriate relief to the officer ordering the arrest, or his successor. If his application be not granted, he may apply to the next superior or superiors.

165. An officer under arrest is disqualified from exercising any military authority, and will not wear a sword, or make a visit of etiquette to the commanding officer or other superior

officer, or call upon them unless sent for. In case of business he will make known his object, in writing. But an officer or enlisted man may be suspended from arrest, and may perform duty, when required by the exigencies of war, especially if he volunteer for such duty.

166. On the march, company officers and non-commissioned officers in arrest follow in the rear of their respective companies, unless otherwise especially ordered; field officers, commissioned and non-commissioned staff officers, under the same circumstances, follow in the rear of their respective regiments. Other persons in arrest will be under the camp-guard, or a detachment from it.

167. When it becomes necessary to use force in making an arrest, officers or non-commissioned officers will direct subordinates, if such be present, or within call, to perform that duty.

168. The arms and accouterments of soldiers in arrest or confinement will be deposited with the first sergeants of companies. Should it be deemed unsafe to allow the prisoners on a march to carry their arms, they will be transported with the baggage of the company; otherwise the prisoners will be made to carry them.

169. An officer is under no disability to prefer charges against another, even though he be himself under arrest under charges awaiting trial.

170. An officer in arrest is, under no pretext, to quit his tent or quarters, while serving with troops, dressed otherwise than in uniform, but without his sword.

171. An officer of the day is empowered to place in arrest a superior as well as an inferior officer for any disorder or flagrant violation of existing orders. The officer of the day is, for the time, chief executive officer, subject to the orders only of the commanding officer whom he represents; and in ordering the arrest of an officer, he may, instead of ordering him to his quarters, properly require him to report to the commanding officer.

172. The foregoing relating to arrest and confinement applies, for the most part, to the National Guard on active duty.

II. Traveling on Duty.

173. Whenever an officer is ordered to perform any duty, not being with troops, he shall proceed by the most direct practicable route without unnecessary delay; and except in case of sudden illness, must not apply for leave of absence or permission to delay, from the time he receives the order until the duty has been performed.

174. When an officer is detailed for special duty in any manner relating to the National Guard, by order of the Commander-in-Chief, or by order of the brigade, regimental, or battalion commander, on approval of the Commander-in-Chief, he must be allowed three dollars per diem and actual traveling expenses.

175. Officers and enlisted men of the National Guard are entitled to transportation at public expense only when traveling on duty by order of competent authority.

III. Deceased Officers and Soldiers.

176. When an officer or enlisted man dies, his immediate commanding officer will make, in writing, a report of his death, specifying the date, place, and cause, and forward the same through proper channels to the office of the Adjutant General.

177. Any effects of a deceased officer or enlisted man which may be left in the armory, camp, or other rendezvous of the company, will be carefully collected and turned over by the company commander to the legal representatives of the deceased. If the deceased officer was responsible for public property, his commanding officer will immediately take necessary steps with the view to settle his accounts.

178. Any member of the National Guard learning of the death of another member, and having reason to suppose that the same has not been already reported, will notify the proper commanding officer of the fact and circumstances.

179. Brigade commanders will notify the Adjutant General of the deaths of such retired officers as may occur within the limits of their respective brigades, the announcement of which shall be made in orders from the Adjutant General's office.

ARTICLE VII.
MILITARY COURTESY.

- I Honors.
- II. Officers.
- III. Enlisted men.

I. Honors.

180. The national or regimental color or standard, uncased, passing an armed body, is saluted, the field music sounding "To the Color." Every officer or enlisted man passing the uncased color, when carried by troops or placed on stacks on the color line, or when the colors pass him, will salute them. The salute is rendered as prescribed, if armed with rifle or drawn saber; by uncovering if not thus armed, the headdress being held in the right hand opposite the left shoulder, right forearm against the breast.

181. Whenever "The Star-Spangled Banner" is played by the band on a formal occasion at a military station, or at any place where persons belonging to the military service are present in their official capacity, all officers and enlisted men present will stand at attention, and if not in ranks will render the prescribed salute, the position of the salute being retained until the last note of "The Star-Spangled Banner." The same respect will be observed toward the national air of any other country when it is played as a compliment to official representatives of such country. Whenever "The Star-Spangled Banner" is played as contemplated by this paragraph, the air will be played through once without the repetition of any part, except such repetition as is called for by the musical score.

II. Officers.

182. Officers salute each other and return salutes of enlisted men, and enlisted men salute officers on all occasions, even if neither be in uniform; the junior officer or enlisted man saluting first.

183. Officers under arms salute with the sword or hand, according as the sword is drawn or in the scabbard.

184. In saluting with the hand, the left is used when the officer passes by the right of the person saluting; in all other cases, or if mounted, the salute is given with the right hand. Officers salute with the left hand only when the right is engaged.

185. On addressing or being addressed by a superior officer, an officer or enlisted man halts, if not already at a halt, faces and salutes the superior officer; at the close of the interview or report, before departing, a salute is again rendered.

186. When passing the salute is given six paces from the officer to be saluted, and in rendering it the hand is not to be dropped or the sword brought to a carry until the salute has been acknowledged or the party or person saluted has passed.

187. An officer mounted dismounts before addressing a superior officer not mounted.

188. Officers in citizens' dress are saluted in the same manner as when in uniform.

189. All salutes must be acknowledged immediately.

190. Any mark of attention shown by an enlisted man to an officer must be acknowledged by the latter.

191. At a reception outdoors, it is proper to uncover if the person receiving is uncovered. When not expressly stated in Regulations, the question as to whether or not on any particular occasion an officer indoors and under arms should remove his head-covering is determined by the recognized customs of the service; e. g., an officer making an official report to a superior would not uncover, nor would an officer on duty with troops indoors do so; on the other hand, officers sitting on courts-martial, courts of inquiry, examining boards, etc.—strictly "official occasions"—would uncover, as also would officers calling officially on, or attending formal receptions by, the President, the Governor of a State, etc., which occasions, while official, are also social in their nature.

192. An officer will wear his sword on all formal occasions, and occasions of duty. On social occasions where military informality is indicated, officers need not wear their swords.

193. When a meeting is in progress, and an officer superior in rank to the presiding officer enters, the presiding officer will command *attention*; when all arise, and so remain until directed by the presiding officer to be seated.

194. When several officers are in company the position on the right should be accorded to the senior in walking or riding. When entering or leaving a house and the party has been halted by a sentinel or stopped by a doorkeeper, the junior should secure admission or passage for the party. In entering a room the senior precedes, in departing the junior of the party leads when the senior of the party has signified his desire to leave; juniors take seats when the senior is seated, and rise with him.

195. Officers subordinate in rank to the commanding officer, visiting a military post or camp, whether on duty or not, should, soon after their arrival, report their presence at the office of the adjutant or adjutant general of the commanding officer of the post or camp, making their official visit brief. When ranking the commanding officer, they should call or notify him of their presence, when he will return their call, or make the first call. If the ranking visitor should be a general officer, the commanding officer will call, accompanied by all the officers of the camp or post.

196. The abbreviating of titles is unmilitary and an indication of ill-manners.

III. Enlisted Men.

197. When an officer enters the quarters, or a place indoors where there are enlisted men, the man who notices him first gives the command *attention*, upon which all will rise and come to attention, and the senior non-commissioned officer joins the officer; the position of attention is held by all until the officer, who acknowledges the same, has left. If there be any one covered, he uncovers at the command *attention*, unless he be under arms and on armed duty, in which case he comes to attention only. Should the officer remain in the place, he himself uncovers, unless under arms. In the case of an officer so remaining the men resume their employments, and come again to attention at the command of the non-commissioned officer attending

the officer, when the latter is about to leave, and the officer then covers if uncovered, and returns the salute. When seated at meals the men do not rise, but interrupt the meal and preserve silence until their mark of attention is returned by the officer.

198. When in the drill-room, or any room connected with an armory, enlisted men will be held to quiet, orderly, and respectful conduct.

199. Soldiers at all times and in all situations pay the same compliments to officers of the Army, Navy, Marines, Volunteers, and Organized Militia, as to the officers of their own particular regiments and corps.

200. A soldier makes the prescribed salute with carbine, rifle, saber, sword, or hand, before addressing an officer; he also makes the same salute after receiving a reply.

201. A non-commissioned officer or private being seated, and without particular occupation, rises at the approach of an officer, faces toward him and salutes; if standing, he faces toward the officer for the same purpose. If the parties remain in the same place or on the same ground, such compliments need not be repeated.

202. If actually at work, soldiers do not cease it to salute an officer, unless addressed by him.

203. A mounted soldier dismounts before addressing an officer not mounted.

204. A mounted soldier in passing an officer salutes with his saber, if drawn, otherwise with the hand.

205. A soldier having occasion to approach an officer in his tent to speak to him, will halt at three paces from the tent, and salute. After the salute is acknowledged, he will enter the tent, or state his business from his position outside, according to the indication of the officer. Upon leaving, he will salute the officer from the same position outside the tent. If the front of the tent is closed, the soldier will omit the salute, but upon arriving at the tent will speak the officer's name in a respectful manner to attract attention.

206. Whenever an enlisted man without arms passes an officer, he salutes him, using the hand farthest from the officer. If mounted, he salutes with the right hand.

207. In armories and on all military occasions, officers in citizens' dress will be saluted by their subordinates, whether the latter are in uniform or not.

208. In all requirements relating to honors, courtesies, and ceremonies not mentioned in these Regulations, the United States Army Regulations, the authorized Drill Regulations, and Instruction for Guard Duty will govern.

ARTICLE VIII.

INTERIOR ECONOMY.

- I. Administration.
- II. Instruction.
- III. Brigadier general.
- IV. Colonel or commanding officer.
- V. Lieutenant colonel.
- VI. Major.
- VII. Regimental adjutant.
- VIII. Company commanders.
- IX. Lieutenants.
- X. Medical officers.
- XI. Signal officers.
- XII. Chaplains.
- XIII. Quartermaster and commissary of subsistence.
- XIV. Small arms practice.
- XV. Non-commissioned staff.
- XVI. Sergeant major.
- XVII. Regimental or battalion quartermaster sergeant.
- XVIII. Commissary sergeant.
- XIX. Hospital sergeant.
- XX. Non-commissioned officers.
- XXI. First sergeant.
- XXII. Drum major.
- XXIII. Color bearers.
- XXIV. Sergeants.
- XXV. Company quartermaster sergeants.
- XXVI. Corporals.
- XXVII. Privates.
- XXVIII. Bands and field music.
- XXIX. By-laws.
- XXX. Care and use of public property.

I. Administration.

209. The regiment is the administrative unit. Unattached battalions, squadrons, and companies are separate units, and in government and administration will be governed as such in all

matters relating thereto, consistent with the State code, and military usages.

210. The administrative duties of a regiment are conducted through field officers, staff officers, and company commanders, under the general supervision of the regimental commander; the latter is responsible, so far as his orders affect his subordinates, who are accountable for the management of their respective departments.

211. Administration is greatly simplified by requiring those officers who are accountable to perform their whole duty, each in his own department or command; it being much easier to manage affairs through a few than to attempt to direct all individually.

212. In correcting errors, or in reproving the indifferent or careless, every appearance of partiality must be avoided.

II. Instruction.

213. The colonel receives from the brigade commander certain general rules, which he is to apply in the instruction of his command, to secure uniformity of execution.

214. Subject to these rules, the colonel provides for the instruction, both theoretical and practical, of the officers and men of his regiment. He impresses upon his company commanders the importance of giving careful attention to the early instruction of recruits, general efficiency of their companies, promptness and correctness in returns, reports, and correspondence.

215. The instruction of the company in drill regulations is best attained by giving thorough instructions to the non-commissioned officers, and by requiring them to instruct their squads. This being completed, the squads are united, and the school of the company practiced. When practicable, theoretical and practical instruction should be combined; the company commander will establish schools for officers and non-commissioned officers, and such privates as desire advancement. These schools can not be too frequent.

216. Instructions, both theoretical and practical, in all requirements shall be carefully and systematically conducted. Instruc-

tions will be imparted by lectures, recitations, or other methods based upon Army Regulations and the authorized Drill Regulations, and such other military books of authority or upon such military subjects as may be prescribed. Particular attention is also directed to instructions regarding promptness and correctness in rendering reports and returns ; also, to military correspondence and keeping records.

217. Unless otherwise ordered by the Commander-in-Chief, the troops of the State will be paraded on Memorial Day, and on the fourth day of July. Drills, parades, and camps of instruction will be governed by sections 2003 and 2005 of the Political Code.

218. Instructors, not at the same time commanding officers, are representatives of the latter, and in practical instructions exercise command under his direction.

219. A knowledge of drill regulations is too often considered all that is necessary; it is only a means of acquiring discipline, and attaining the control of troops. Officers must recognize the absolute necessity of explaining carefully what they undertake to teach. Correct deportment and soldierly bearing are the characteristics of a good soldier.

III. Brigadier General.

220. The commanding officer of a brigade is responsible for the efficiency of his brigade. It is his duty to see that proper theoretical and practical instruction is imparted to those under his command; that public property is put to the use for which it is intended, and kept in serviceable condition; that books and records are kept as prescribed; that orders and instructions are obeyed and carried out in his command as prescribed, and that the standard of efficiency is maintained in every respect. The staff officers of brigade, regimental, battalion, and squadron commanders will be appointed as provided in sections 1928 and 1957 of the Political Code.

221. As the duty is devolved upon the Adjutant General of the State, by the laws of the United States, to make a return of the militia, with their arms, accouterments, and ammunition, to the War Department, on or before the first Monday in January of

each year, the brigade commanders will be prompt in making full returns at the earliest practicable day after the first day of October of each year, to enable him to comply with the provisions of said law.

IV. Colonel or Commanding Officer.

222. The duties of the commanding officer relate to the government and administration of his command, including organization, routine, instruction in drill regulations, discipline, appointment and reduction of non-commissioned officers (those of companies upon the recommendation of company commanders), and military ceremonies.

223. The regiment takes its character and standing from the colonel; and no person should be elected to this position who can not command universal respect, not merely for his military knowledge and experience, but for his personal character.

224. No commanding officer should permit discipline to be sacrificed to popularity. The intimate social relations frequently existing off duty between the grades of service tend to level military distinctions, weaken authority, and subvert dignity; and, unless the commanding officer exercises a jealous watch, officers whose ambition is greater than their capacity to command may, through laxity, bring discredit on their corps.

225. A commanding officer is not only responsible to his superior officers and to the State for the drill, discipline, and general efficiency of his command in its military capacity, but he is in a great measure responsible for its civil and social tone. He may be thoroughly conversant with his duty as a soldier, and perform it faithfully so far as regards the actual duty in the presence of his command; but if his labor and vigilance stop there, he has done only a part of his proper work. Good men make good soldiers; good soldiers will elect good officers. Upon the commanding officer rests the responsibility for the material composing his corps. His personal example and ability are powerful influences to attract the best classes of the people; his authority to prevent the muster of improper material in his ranks may work an equal benefit. If he fails to recognize these considerations, he fails to make a good commander.

226. Unanimity and good understanding among the officers of a regiment are objects peculiarly deserving the attention of the commanding officer. His timely interference to prevent disputes, his advice to the inexperienced, his protection of the deserving, and his immediate reprehension of any conduct likely to interrupt the harmony of the corps, are the best means of securing these desired ends, toward the attainment of which he has the right to demand, and ought to receive, the assistance of every officer. It is well known that perfect civility and the most conciliatory manners are compatible with the exercise of the strictest command.

227. The permanent commander will appoint the commissioned and non-commissioned staff of the regiment, and on recommendation of company officers, should he approve the same, the sergeants and corporals of companies. All the foregoing appointments will be announced in regimental orders.

228. On all purely military matters appertaining to his regiment, the authority of the commanding officer is paramount; he will habituate himself to decide promptly, issue his orders clearly, and see that they are properly carried out.

229. Regimental commanders are required to keep themselves fully informed as to the condition of their commands, in order that they may take intelligent action on requisitions and applications forwarded through them, and know what is necessary to correct existing evils.

230. The experience and suggestions of the commanding officer are invaluable to his staff officers, to enable them to anticipate all the conditions in which the regiment may be placed, and prepare for all its wants. He should be thoroughly conversant with the duties and routine of each department.

231. Commanding officers will, by means of official reports and orders, and use of staff officers, and by personal activity, familiarize themselves with every detail in the administration of their commands; they should visit the armories of their companies, and in camp, their quarters, kitchens, sinks, and stables, or cause their staff officers to make such visits.

232. The commanding officer should carefully examine company records and papers, and cause the correction of errors.

233. The commanding officer should observe how the members of his command perform guard duty, and should occasionally, if not habitually, receive in person the reports of company commanders at the principal roll-calls, especially reveille. He should be perfectly familiar with all that concerns his command, and at the same time avoid the appearance of assuming the power of his company commanders, or of intermeddling with their affairs further than the general welfare demands.

234. So far as practicable, regimental commanders, whether permanent or temporary, should be exempt from any detail that will detach them from their commands.

235. The colonel is himself personally responsible for all property issued to his headquarters, making requisitions and returns in his own name, although he may require his quartermaster to keep the property book, and to fill out the necessary returns or requisitions; but this in no way affects his personal liability.

236. The colonel will have personal oversight of all State property in the hands of his command; he must see that it is not wasted or injured through neglect, and that it is not loaned or improperly used.

237. When there are no officers on duty with a company, the commanding officer of a regiment should detail some line officer of the regiment to train and discipline the company until vacancies be filled. An officer so detailed has all the rights and powers of the duly elected company commander.

238. The following are essential daily duties of a regimental commander in camp:

1. At reveille he should rise, and receive from the adjutant the result of the company and band roll-calls, or detail a field officer to do so, and report to him.

2. Immediately after guard-mounting he should be at his headquarters, or at some place in camp of which the officers of the day are informed, to receive the report of the old and instruct the new officer of the day.

3. At a reasonable time after the sounding of fatigue call, and once after dinner, he should make a careful inspection of his camp, including not only the grounds and quarters, but also the guard, kitchens, stores, stables, sinks, and all other premises appertaining to the camp; he should also see that refuse matter is not left on premises adjoining, where it may become a nuisance either to his command or to neighboring inhabitants.

4. At the prescribed hour in the morning he will require the adjutant to bring the morning report for signature.

5. Once in each day, before noon if possible, he should satisfy himself by personal inspection that the officers of his staff are properly performing their various duties.

6. If his command is not drilled as a whole by himself, he should be present on the regimental parade, or in view of it, during the drill, and note carefully all errors, in order that he may correct them by subsequent conversation with the officers responsible for them.

7. He should establish daily office-hours, when he can conduct correspondence, or receive and talk with his officers on matters connected with duty, or transact other business incident to his position.

8. When the regiment is to assemble under arms with the colors, he should be at his headquarters to hand the colors to the color sergeants.

9. The proper place for him to receive official visitors to the camp, out of his tent, is standing beside or between the colors at the entrance to his headquarters.

10. He should see that the officer of the day is furnished with the countersign before retreat.

V. Lieutenant Colonel.

239. When in command, the duties of the lieutenant colonel are as prescribed for the colonel, with which he should be thoroughly familiar. Ordinarily, he owes the regiment the same interest that is expected from the colonel.

240. When in camp and not in command, he may be detailed for any duty consistent with his rank, including the command of large detachments; also to perform delicate and responsible

service. His office indicates that he is a man of influence and position, whose opinions are to be respected.

241. In military ceremonies and field exercises, the lieutenant colonel has certain duties prescribed for him by the Drill Regulations, but his chief duty is to assist the colonel in all regimental requirements.

VI. Major.

242. In addition to his duties prescribed by the Drill Regulations, those of the major, when in command of a regiment, are as prescribed for the colonel.

243. The duties and responsibilities of a major in command of an independent battalion or squadron, considering the strength of the command, are the same as those of the colonel of a regiment.

244. The major will give special attention to the respectability of his command under all circumstances. He will carefully supervise the schools for officers and non-commissioned officers, as well as the selection and appointment of the latter, to the end that character, energy, and "snap" may be imparted to his organization. The keeping of records in the battalion and care of public property will receive the most careful and consistent attention of its commander. The major is charged with all matters relating to the interior economy of his troops.

VII. Regimental Adjutant.

245. The adjutant is the official organ of the regimental commander, who communicates through him with his command.

246. The adjutant should maintain a courteous and friendly understanding with regimental officers, avoiding all discussions upon the orders or military conduct of the commander.

247. The adjutant should inform himself upon all points of military usage and etiquette, and exert his influence in sustaining the reputation, discipline, and harmony of his regiment.

248. The adjutant should possess tact, a sound judgment, and a disinterested character, which will enable him to settle many

questions of duty without offense. He should have not only a thorough knowledge of his own special duties, but also a general knowledge of the duties of all the officers of the regiment.

249. The adjutant superintends the machinery and workings of the regiment; sees that orders are obeyed, and that the required reports and returns are made.

250. Ordinarily the commanding officer will direct what orders are to be published to the regiment. All official communications to the officers of the regiment are signed by the adjutant, and transmitted by him; whilst all communications to a superior headquarters are signed by the commanding officer.

251. The adjutant should not give an order in the name of his colonel in a special or peculiar case; but in cases involving general principles, in which he can readily understand, from established precedents, what would be the commander's decision, he may with propriety assume to give orders in his name; he should, however, feel sure that he will be sustained.

252. The adjutant has charge of the regimental books, records, papers and blanks, excepting those of the quartermaster and commissary, and medical officers; and it is his duty to master thoroughly the methods of keeping them, as well as of conducting correspondence, issuing orders, and making returns and reports. To this end he will carefully study what is laid down in relation to officers of the staff generally, and to those of the Adjutant General's department of the State, as well as the Military Secretary's department of the Army, particularly.

253. The adjutant makes all required details of officers and enlisted men from a roster, which is a list of officers and men for duty, with a record of duty performed by each. The roster will be kept and applied as prescribed by the United States Army Regulations.

254. The adjutant should be thoroughly familiar with the rank and seniority of each officer and non-commissioned officer of his regiment, in order that he may readily assign them to their positions in regimental formations and guard-mountings.

255. The adjutant should know at all times, for the information of his commanding officer, the actual strength and condi-

tion of the regiment, and will carefully examine all official papers to the end that they may be correct.

256. The regimental band and field musicians are under the immediate charge of the adjutant; he should see that they are properly instructed, familiar with their duties, and prepared for inspections and reviews.

VIII. Company Commanders.

257. All officers should be endowed with care, justice, dignity, and discretion; these qualities are expected especially in those in immediate command of troops, and particularly in the company commanders.

258. The position of company commander is one of the most important in the service; he is responsible for the instruction, good order, efficiency, and discipline of his command, and for the prompt and correct rendition of the reports and returns. He is company treasurer; he will see that all funds which come into his hands as such are properly accounted for; that surplus funds are deposited in some bank or other safe depository, and on the expiration of his term that the balance on hand is turned over to his successor, taking his receipt therefor.

259. The captain must watch carefully over the interests of the company, and remember that it can not be in good repute unless it stands well financially. All debts should be promptly paid, and he must restrain his command from incurring expense beyond its means. He must see that his accounts are always written up and ready for inspection.

260. The captain will select the first sergeant, quartermaster sergeant, and stable sergeant from the sergeants of his company, and may return them to the grade of sergeant without reference to higher authority. The captain instructs the first sergeant in the matter of books and papers.

261. The commanding officer of each company, troop, or battery shall detail from the enlisted men one competent clerk, who shall keep the books and make out all the official papers of the organization; and in order that the records may be at all times open and convenient for inspection, they will be kept with

the organization to which they belong, and not at the home or business office of the commanding officer. In all cases the records are under the supervision of the captain.

262. The captain will cause the men of his company, including non-commissioned officers, to be numbered in regular series, and divided into squads, each to be under the charge of a non-commissioned officer, who will always carry with him a list of his men and their addresses, that, in case of need, the men may be readily warned. A list showing the address of each man, and indicating the non-commissioned officer in whose squad he is, will be posted in the company armory and a copy kept by each officer.

263. The captain will see that suitable men in sufficient number are instructed in managing and cooking the rations in the field; also, that the necessary utensils in serviceable condition are always on hand, together with the field mess furniture for each man. In camp or barracks, company officers will carefully supervise the cooking and messing of their men. At least one officer will supervise each meal.

264. Upon the captain devolves the important duty of nominating to the colonel for appointment the non-commissioned officers of his organization, who should be selected with great care; they should not only possess the requisite knowledge of the duties to be expected of them, but should be men whose character and influence will command respect and obedience from their inferiors in grade. The captain may establish competitive examinations to aid him in selecting his non-commissioned officers. Non-commissioned officers may be reduced to the ranks by sentence of courts-martial, or on recommendation of the company or troop commanders by the order of the commander having the power to appoint the same.

265. It is especially made the duty of officers not to report enlisted men present at drills unless they are in the ranks and drill with their organization.

266. A strict attention to duty, an honest regard for the men, and a constant self-respect, guided by equal and exact justice to all, will command the most insubordinate men. A soldierly bearing and dignified deportment are of great assistance in this respect, and should be zealously cultivated by all officers.

267. Captains have great influence upon the character of their regiment; they have a veto power upon the enlistment of improper characters in their companies, which power must be exercised with vigilance. A man must never be admitted to a company simply because he is one more added to the roll; his character and ability must be considered. If he can learn his duty, and remember it in after years, when, in time of need, he may be wanted as an officer or non-commissioned officer of the United States Volunteers, then he is a fit man for enlistment. Captains will never lose sight of the fact that the National Guard is essentially a school, of which its officers in their several departments are the instructors, so far as their subordinates are concerned, and the scholars in relation to superiors.

268. The company commander should sustain his subordinates, and should especially avoid reproofing an officer or non-commissioned officer in the presence of the men.

269. It is made the duty of captains to instruct their officers and non-commissioned officers in the manner of giving commands, and they will afford them ample opportunity to practice the art of commanding, that they may properly exercise the same whenever called upon to do so.

270. At encampments, and on other similar occasions, the company commander must see that proper attention is paid to roll-calls; the lieutenants reporting to him in person, and the first sergeant reporting the attendance of the enlisted men. Punctual and universal attention can not be expected from the men if the officers are tardy or absent.

271. The captain must never permit any man to perform duty under law or orders or to draw pay who is not regularly enlisted and mustered in.

272. The officer who is responsible for property issued to an organization may prosecute any soldier wrongfully withholding State property, or losing or damaging the same, in any court having jurisdiction.

273. A company commander must not allow any waste of public property, and will only permit it to be used by members of his command for military purposes.

274. Company commanders will give the utmost attention to the cleanliness of their men as to their persons, clothing, arms, accouterments, and equipments, as also to their quarters, tents, and armories.

275. Example is on all occasions the first duty of an officer; his conduct should be a guide to the soldier, as unguarded trifles in his behavior are frequently productive of serious evils to unthinking minds in his command.

276. The command of a company divides itself into two kinds of duty, requiring very different capacity, viz.: *government* and *administration*. The former requires force of character, judgment, and discretion, and has often been performed without much capacity for the latter. Administration requires a certain amount of knowledge absolutely indispensable to a discharge of a duty.

Government. Under this head may be included instructions in drill regulations and discipline; the preservation of order and subordination, and the cultivation of a military spirit and pride in the profession among men. It involves the appointing and reduction of non-commissioned officers, and the subjects of rewards and punishments.

Administration. Providing the clothing and subsistence of soldiers, and attending to the transportation of the men and supplies, and the care and accountability of public or company property. The efficient administration of the affairs of a company greatly facilitates the discipline and government of the company, makes the men content and cheerful in the performance of their duties, and attaches them to their commander.

IX. Lieutenants.

277. It is the duty of the lieutenants to assist the company commander in all his work, and to prepare themselves in every way to assume command, should occasion require it. They may also have charge, under the direction of the captain, of certain parts of company administration.

278. Lieutenants report to the captain at all roll-calls, unless excused or detailed on other duty. In the cavalry and artillery, mounted, they must attend stable call, and other duty consistent with their grade and peculiar to their arm of service.

279. Lieutenants must be thoroughly familiar with the schools of the soldier, company, and battalion, and also with the duties of all non-commissioned officers. In correcting errors and keeping their men in order, as file-closers, they can exert authority to the great advantage of their company.

280. The right of a lieutenant for ordinary duty and command is restricted to his own company. He may be detailed by the commanding officer of the regiment or battalion to command another company, but can not claim such command as a right on the ground of seniority.

281. In case of the temporary absence of the captain of a company, his duties are performed by the senior lieutenant, who is not, however, to make any marked changes in the matter of governing, but shall rather aim to carry out the plans of his captain.

X. Medical Officers.

282. Commanding officers will exercise careful judgment in the appointment of medical officers; the professional ability of such officers will outweigh all other considerations.

283. To the medical officers the care of the sick is confided. An important part of their duty is the supervision of the sanitary condition of their corps, whether in camp, on the march, or at armories.

284. Medical officers will, when required, make examination of recruits, and applicants for excuse from duty or discharge from service for disability.

285. After sick call, a morning report of the sick will be made out by the surgeon, and sent to the adjutant's office.

286. The decision of medical officers upon cases of illness is final, and will never be interfered with.

287. In camp or garrison, medical officers will examine the sinks at least once each day, preferably in the morning, reporting to the regimental commander any neglect. They will see that disinfectants are used when needed.

288. The hospital is always open to the colonel's inspection, and should be thoroughly examined to determine whether it is properly managed.

289. The attention of medical officers will be given to the quality and methods of preparing food given to troops; reports and suggestions thereon, when necessary, will be made to commanding officers, who will use all possible efforts to have the recommendations of medical officers carried into effect.

290. The assistant surgeons will assist the surgeon, and are subject to his orders, under those of the colonel. In the absence of the surgeon, the assistants assume his duties and responsibilities in order of rank.

291. With the approval of the commanding officer, the senior medical officer of an organization may permit enlisted men not members of the hospital corps to attend the course of instruction prescribed for the latter; but such attendance shall not be compulsory, and shall not be a ground for excuse from any part of the regular military duties.

292. In case of emergency, commanding officers may detail, on the application of the senior medical officer, as many enlisted men for litter-bearers as circumstances may require. Men who have attended the course of instruction prescribed for the hospital corps will be preferred for such duty.

XI. Signal Officers.

293. When telegraph lines are established by the signal corps, the officers of the latter will be held responsible for their construction, maintenance, and operation. Commanding officers and others will see that the special duties of these officers are not interfered with, and will, upon proper application, render such assistance as may be in their power.

294. Communications transmitted by telegraph or signals are always confidential, and will only be revealed to those officially entitled to receive them.

295. Telescopes, field glasses, telephones, and expensive electrical apparatus of the signal corps, when unserviceable, will not be submitted to an inspector for condemnation without previous authority of the Adjutant General.

296. In all matters relating to the signal corps not inconsistent with State law, the United States Army Regulations will govern.

XII. Chaplains.

297. No person shall be appointed to the office of chaplain who is not a regularly appointed minister of some religious denomination, and is not known to be in good standing as such.

298. It is the duty of the chaplain, having previously signified his intention to the medical officer in charge, to visit the sick in hospital or in quarters, in order to afford religious advice and consolation.

299. All chaplains shall be prepared to hold appropriate religious services at military funerals. It shall be their duty to hold public religious services, when on duty with their commands in active service, at least once each Sunday, when practicable, and at such other times as their commanding officers shall direct.

300. All officers, and enlisted men off duty, should be present at divine service; during which the greatest propriety of behavior should be observed.

301. Every individual in a command, of whatever faith he may be, should endeavor, both by precept and example, to enforce all moral and religious duties; and all officers are required to do everything in their power to aid chaplains in the discharge of their duties.

XIII. Quartermaster and Commissary of Subsistence.

302. Quartermasters should be familiar with the various means and methods of transportation, and the purchasing and distributing of supplies pertaining to this department.

303. The quartermaster's department provides the quarters and transportation of the troops, storage, and transportation of all supplies, clothing, camp and garrison equipage, cavalry and artillery horses, fuel, forage, straw, material for bedding, and stationery; at encampments, in the field, and on marches it has charge of all camp equipage and baggage trains, and of all laborers serving with the trains.

304. Officers of the subsistence department shall perform such duties as are required of them by the rules and regulations of the United States Army governing the commissary department, and such other duties as may be required of them.

305. The commissaries of subsistence are liable to be suddenly and unexpectedly ordered to arrange for the troops in their respective organizations, and therefore should be thoroughly informed where to obtain the articles constituting the ration, and, in emergencies, where to purchase them without delay.

306. The duties of quartermasters and commissaries of subsistence call for experience, discretion, and business qualifications. They draw and issue supplies, and have charge of all property in the regiment not receipted for by company commanders, or in the immediate charge of other officers of the staff.

307. Next to the commanding officer, the duties of these officers require more foresight and thoughtful consideration for the comfort of others than those of any other officer.

308. The effect of the administration of the affairs intrusted to these supply officers will be reflected in the condition of the command. A well-clothed and comfortably-quartered man makes a better soldier than one who is badly provided for. Cheerfulness is a great element in discipline. These officers may keep a regiment cheerful or dissatisfied, according to the manner in which its wants are supplied.

309. Quartermasters, in obtaining and turning over or issuing property and supplies, will follow the regulations, and use the forms provided by the Adjutant General.

310. Quartermasters and commissaries of subsistence are the agents through whom (in active service) quarters, clothing, transportation, and food are obtained. An intimate knowledge is required of all that concerns the care of animals and wagons, camp equipage, the quality and quantity of supplies, and the making issues of the same.

311. All necessary requisitions or estimates must be approved by the colonel, who also directs what he desires to have done, and gives the necessary written orders therefor.

312. Much of the responsibility that in active service belongs to these officers falls, in the National Guard, at other times, upon the company commanders, they being responsible for all public property in the hands of their companies, making requisitions through the colonel for the necessary supplies, and transferring property in case of their withdrawal from service or position.

313. Transportation is a very important branch of the quartermaster's department. When companies are scattered, company commanders usually arrange for the transportation of their commands, the quartermaster attending to the needs of headquarters. Should the regiment as a body require transportation, it would become the duty of the quartermaster to arrange for it.

314. Previous to encampments, regimental quartermasters may be ordered to the ground before the arrival of the troops, to command and have charge of the working parties from the several organizations in laying out the regimental camp, and superintending the pitching of tents. In case of encampments of bodies larger than a regiment, this will be done under the direction of a general staff officer; it is a very important duty, and, if properly attended to, will save much discomfort.

XIV. Small Arms Practice.

315. An officer will be detailed by the regimental, battalion, or squadron commander to have charge of the promotion of small arms practice. Such officer should be a marksman with a record quite above the average; he must be a good instructor both in all matters of theory in his classes and as a coach on the range.

316. The theoretical instruction by the superintendence and efforts of this officer should aim to instruct recruits not only in all the elementary knowledge needed on the rifle range for the simple qualification of marksmen, but should extend to the instruction of individuals, squads, and companies in the estimation of distances, the effect of fire, and the understanding of fire discipline, to the end that officers and men may be well grounded in the principles governing such science.

317. The officer in charge of small arms practice who will not be able to be present on any occasion of duty will, in due season, so report to his commanding officer, who will then detail a competent officer to act in his stead.

XV. Non-Commissioned Staff.

318. The non-commissioned staff officers are appointed in regimental, independent battalion, or squadron orders by their respective regimental, independent battalion, or squadron commanders, and are furnished with warrants of their rank, signed by the commanding officer.

319. Unless specially ordered otherwise, the quartermaster sergeant, the commissary sergeant, and the hospital sergeant of a regiment, battalion, or squadron attend only the reviews and inspections of their respective commands. They report the result of their duties of the day to their chiefs between retreat and tattoo.

XVI. Sergeant Major.

320. The sergeant major is the highest ranking non-commissioned officer of the regiment or battalion; he assists the adjutant in the performance of his clerical duties, and should be conversant with the duties of all non-commissioned officers and privates.

321. As the chief of the non-commissioned officers, and as holding a position of much confidence and trust, the sergeant major is to insist upon implicit obedience from the other non-commissioned officers, narrowly to watch their conduct, and not to allow any improprieties to pass unnoticed. It is expected that by the impartial, zealous, and correct discharge of his duty, the utmost propriety of conduct, and obedient and respectful demeanor toward the officers of the regiment, he will show an example to the other non-commissioned officers, and insure their respect and esteem.

322. The sergeant major being the first non-commissioned officer in a regiment, upon him very materially depend the general spruceness and soldierly bearing of the non-commissioned officers and men. An example of vigilance, zeal, and correctness of conduct on his part can not fail to have a strong influence over the other non-commissioned officers.

323. At first sergeant's call in the morning, the sergeant major receives the company morning report books from the first

sergeants, hands them the orders for the day and orders to be copied in the company order book; at first sergeant's call at noon he furnishes the first sergeants with the details required from their respective companies for the next day, and orders issued, and returns the morning report books. In like manner reports and orders for the musicians, when organized in corps, are received from, and transmitted through, the drum major by the sergeant major.

XVII. Regimental or Battalion Quartermaster Sergeant.

324. The quartermaster sergeant is the assistant and under the immediate orders of the quartermaster. He has charge of the property for which the quartermaster is responsible, and directs the details sent to work for his department. He receives the stores and makes the issues authorized by his chief, and sees that all stores are properly taken care of. He is the clerical assistant of the regimental or battalion quartermaster.

XVIII. Commissary Sergeant.

325. The commissary sergeant has immediate control of the commissary storehouse and its contents. He receives the stores and superintends the issues, keeping account of the same. He is the clerical assistant of the regimental commissary of subsistence.

XIX. Hospital Sergeant.

326. The hospital sergeant is under the orders of the senior medical officer of the regiment, battalion, or squadron. He must be familiar with the general effect of medicines, and capable of putting up prescriptions; has charge of the hospital stores and supplies, and is responsible for the cleanliness of the wards and kitchens, patients and attendants, and all articles in use; ward-masters, cooks, and nurses are under his orders.

XX. Non-Commissioned Officers.

327. Non-commissioned officers should be examples of neatness, cleanliness, and soldierly conduct. They should be the first to take their places at roll-calls, and should see that the men take theirs promptly, and preserve silence.

328. They should be thoroughly familiar with the schools of the soldier and company, with all that relates to the guides in the school of the battalion, in ceremonies, and with guard duties.

XXI. First Sergeant.

329. The duties of a first sergeant are peculiar to his position, and require capacity and knowledge in addition to the duties of other sergeants. He has immediate supervision of the company; receives and transmits orders from his company commander, and sees that they are executed; keeps the roster and makes all the details; superintends the company clerk, and instructs and assists him in making out all the required papers; forms the company and calls the roll; has general supervision of the company property; sees that every non-commissioned officer performs his duties; holds the chiefs of squads responsible for the condition of their squads and equipments, and superintends the police of the company quarters.

330. The first sergeant should be familiar with the duties of the sergeants and corporals; he is not liable for guard duty, fatigue or detached service, unless the entire company be detailed for the same. He is the medium of communication between the commanding officer of the company and the enlisted men.

331. The first sergeant must be careful that every member of his company is well instructed in his drills; and he will especially bear in mind that quietness, patience, and kindness of manner toward his men are at all times essential to command their attention and cheerful obedience, and insure their progress.

332. At first sergeant's call he repairs to regimental or post headquarters to receive orders or instructions, which he reports to the company commander without delay.

333. In camp or other continuous duty, the first sergeant makes out and signs the company morning report, and submits it to the company commander for his signature, after which it is transmitted to the adjutant, usually before guard-mounting. The sick report must always be made before the company morning report, in order that the latter may be accurate as to the number of men for duty. He parades and inspects all details from his

company; sees that they are properly equipped for the duty which they are to perform, and then turns them over to a non-commissioned officer, to be marched to their posts, or marches them himself.

XXII. Drum Major.

334. The drum major performs duties relating to the band similar to those of the first sergeant relating to the company. He parades the band and field musicians at roll-call, calls the roll, and reports the result to the adjutant under whose orders and instructions he acts; he also reports musicians absent without leave to their respective first sergeants. He superintends the police of the quarters or tents of the band, and of the field musicians, if the latter be formed in drum, fife, or trumpet corps, and has the immediate care of the public property in use by them. He drills and instructs the band and field musicians in their military exercises, and is instructor in music to the drummers and fifers.

XXIII. Color Bearers.

335. Color bearers should be selected with reference to their military bearing and physical qualifications. The senior color bearer carries the national, the junior the regimental colors. They are under the immediate orders of the adjutant, and shall perform such clerical and other service as he may direct.

XXIV. Sergeants.

336. Sergeants have a general supervision of the men of the company, and special charge of the members of the squads of which they are chiefs. They are responsible for the condition of the arms, equipments, and other property in the hands of the men of their squads, and must see that their men do not absent themselves without proper authority. They warn members of their squads for duties; see that they are properly armed and equipped for service, and that they comply with the orders received. They will keep the residence and business addresses of the members of their respective squads always in their pockets. They will also inform themselves of the usual evening resorts of the members of their squads, so that they may be able to serve notices upon them at any time, day or night.

XXV. Company Quartermaster Sergeants.

337. The company quartermaster sergeant performs for his company the duties performed by regimental quartermaster and commissary sergeants for a regiment. He is in immediate charge of all company property, and it is his duty to see that every enlisted man keeps his uniform, arms, accouterments, and equipments in their proper places, and in a neat and orderly manner, and report to his commanding officer every failure to do so. He shall also perform such clerical duties as may be required by the company commander.

XXVI. Corporals.

338. Corporals take charge of the smaller details for guard, fatigue, and police duties. They are frequently called upon to assume the duties of a sergeant, and should, therefore, be familiar with his duties, and also with the school of the soldier, and capable of instructing the recruits in elementary principles. They should know the duties of sentinels, and be able to instruct the members of the guards.

339. Those of cavalry are often placed in charge of small parties or patrols, and should become thoroughly familiar with the country, and be able to make clear and distinct reports of all they see and hear. When in charge of stable guards they have a general supervision of the stables, see that the horses are watched, and that none get loose or injured.

XXVII. Privates.

340. Upon the individual conduct and character of the private soldier depends the reputation of his company; he performs the work and duties required of a soldier, under the guidance of his superior officers. Respect for superior authority, implicit obedience to orders, close attention to duty, watchful care of the property in his hands, and cleanliness of person, are the traits of a good soldier.

XXVIII. Bands and Field Music.

341. A band of musicians not exceeding twenty-four men may be employed or enlisted by the commander of a regiment, battalion not part of a regiment, or squadron, to be under his direction and command.

342. Bandsmen, while on duty, shall be subject to all the laws and regulations of the National Guard.

343. The twenty-four members of the band will include a chief musician and two principal musicians. When the regiment is assembled the company musicians may be ordered to the head of the regiment for service with the band.

344. By permission of the brigade commanders, private soldiers from the companies may be detailed by regimental commanders for duty as additional musicians, but not to exceed two privates from each company; on the returns they will be reported as privates on daily duty as field musicians. Musicians forming regimental bands will be duly enlisted in the State military service for the prescribed term, and while so serving will be subject to all the laws, regulations, and usages of the National Guard, and will perform all military duty, whether any pay or compensation has been agreed upon or not. A band which can not do its full duty as a military organization on account of any restrictions by any association or corporation to which its members belong will not be enlisted.

XXIX. By-Laws.

345. The civil affairs of a regiment shall be managed, subject to law, regulations, and orders, by a code of by-laws adopted by its board of officers. In like manner and for similar purposes the by-laws of a company are adopted by its members. (See sections 2100 and 2101, Political Code.)

Regimental By-Laws.

346. Regimental by-laws should be brief, providing that the commanding officer of the regiment shall be presiding officer of the board of officers. All by-laws must be approved by the Adjutant General.

347. The by-laws should prescribe the number and hours for meeting for discussion and instruction, other than those appointed by law or orders; they should provide for the establishment of a regimental fund, and determine what assessments are to be levied on the several companies to defray the regimental expenses; they should prescribe the penalties for violation of their articles, the circumstances under which such penalties may be remitted, and provide for amendments or alterations.

Company By-Laws.

348. The company, considered as a subdivision of the regiment, although subject to the orders of the regimental commander, and to the regimental by-laws, is, for the transaction of civil business, an association of individuals, governed by a code of by-laws adopted by its members.

349. Company by-laws should be at once brief, comprehensive, and in accord with the regimental by-laws.

350. The "application to enlist," given in paragraph 99, shall be embodied in the article relating to the election of members.

351. The captain shall be designated as presiding officer of the company for all civil purposes. There should be committees on election of members, finance, and target practice.

352. By-laws should prescribe the manner in which the company fund is to be formed, the assessments levied, and the fines to be imposed for the violation of their articles, also the circumstances under which such fines may be collected or remitted, and finally determine how amendments or alterations are to be made.

XXX. Care and Use of Public Property.

353. All public property issued to troops shall be kept in the armories, and only used for the performance of military duty according to law, and must not be loaned to any one.

354. Arms and equipments must be kept in a condition for immediate use.

355. Public property will not be dropped from returns as worn out or unserviceable, without written authority from the Adjutant General.

356. Officers responsible for clothing left in armories or in store should exercise a constant watchfulness over its condition. It should be frequently aired; it must never be put away wet or soiled, and all possible precaution against moths must be taken.

357. As a sanitary measure, clothing turned in by men who pass out of the service will at once be placed in the hands of a professional cleaner for a thorough cleansing, and then carefully stored for reissue. The expense for the same will be defrayed out of the monthly allowance provided by law.

ARTICLE IX.

EQUIPMENT.

- I. Marking.
- II. Arms and accouterments.
- III. Ammunition.
- IV. Dress.
- V. Colors.

I. Marking.

358. Every article, excepting the arms belonging to a regiment, will be marked with the number of the regiment and letter of the company, in black; the size of the characters to be one inch. Belts will be marked on the inner side with half-inch stencil.

359. Commanding officers will follow the system of the United States Army of marking property in their respective regiments.

360. Marking will be done with Roman letters and Arabic figures; the use of stencils is permitted.

II. Arms and Accouterments.

361. Commanders of companies will see that proper care is taken in cleaning the arms and accouterments in the hands of the men, and that they are always kept in good order.

362. Commanding officers shall keep a careful register of the factory numbers of all rifles, carbines, and revolvers issued to their commands.

363. Revolvers will be kept in cases if possible, otherwise in holsters marked with the soldier's number, and hung from a peg bearing the same number.

364. Rifles, carbines, and pistols will not be marked; records kept of the factory numbers of these arms will be sufficient. Sabers and swords will be marked by a small stamp on the hilt.

365. All arms in the hands of troops, whether browned or bright, will be kept in the condition in which they are issued. Arms will not be taken to pieces by soldiers, without the express permission of the company commander; nor will soldiers under any circumstances deface the metallic or wooden parts by attempts to beautify the finish of the exterior.

366. The commander of each regiment and company will see that there is kept a correct written statement of all arms, equipments, and property of the State which have been issued to the regiment or company, or stored for safe-keeping.

367. The keepers of armories are expressly forbidden to loan or hire out any arms or property of the State or United States deposited therein or in their custody, to any person whatsoever, or to suffer such to be taken from the armory, except on the written order of the proper officer.

368. All officers are prohibited from loaning to, or suffering to be used by, any person, not belonging to their commands or to the State forces, any arms, ammunition, or equipments furnished by the State or United States for the use of the military forces.

369. The companies of each regiment, when stationed in the same city, must be concentrated in one armory, whenever sufficient accommodations can be provided.

370. No company will be allowed to locate its armory outside of the building selected by the regimental commander, unless good cause is shown for such action.

371. Regimental commanders will concentrate their commands so far as is practicable, and in such manner as will tend to increase the security of public property in charge of the several companies.

Cleaning and Care.

372. Placing the arms forcibly in a rack, or stacking them carelessly, will frequently injure the sight, if not otherwise.

373. Equipments must be fitted to the men under direction of company commanders, and must not otherwise be changed by cutting straps or punching holes. Varnish must not be used on any article that is not varnished when issued.

374. Saddles and other horse equipments for mounted troops will be kept neat and clean, and properly hung on pegs in store-rooms set aside for the purpose, using dressing prescribed by United States Army Regulations, when necessary.

III. Ammunition.

375. No ammunition will be kept in the cartridge-belts, except when troops are on duty requiring its use.

376. When blank cartridges have been issued, the officer responsible must exercise the greatest care to keep them entirely separate from service ammunition. When an original package containing blank cartridges is first opened a careful inspection will be made, and should a ball cartridge be found the complete package will be sent through military channels to the Chief of Ordnance, United States Army, to enable the responsibility for the presence of a ball among blank cartridges to be located by means of the packer's initials stamped on the package. None of the marks on the package should be defaced. Too much importance can not be attached to these instructions.

377. What is herein prescribed for infantry cartridges applies also to other arms of the service, the issue of which as reserve, or for ordinary expenditure, will be regulated from time to time according to circumstances, as the Adjutant General may direct.

378. When on continuous duty, ammunition issued to troops will be inspected at least once daily.

379. In the infantry a reserve supply of ammunition will be kept constantly on hand ready for issue in case of disturbance of the peace or other emergency requiring the issue of ammunition. Officers will be held strictly responsible that under no circumstances other than upon service under orders shall this reserve ammunition or any part thereof be expended.

IV. Dress.

380. Regiments, and battalions and squadrons not part of a regiment, may, with the consent of the Commander-in-Chief, adopt a distinctive full-dress uniform at their own expense.

381. After the uniform of an organization has been determined, no alteration or addition will be made without the approval of the Commander-in-Chief.

382. Every enlisted man who enters the service of the State shall be furnished by the State with a service and dress uniform corresponding in make and general appearance to the service and dress uniform of the United States Army.

383. All officers and enlisted men in camp or upon other duty must wear the uniform of their regiment exactly as it is prescribed. Citizen's dress, or any part thereof, is prohibited.

384. The hair should be short; the beard, when worn, to be kept short and neatly trimmed.

385. Uniformity of dress being essential to the good appearance of a command, the greatest attention should be paid to this important point; and officers are expected to bear in mind the great advantage of example in this particular.

386. Too much care can not be given to the manner in which the uniform is worn. Officers and enlisted men must at all times remember that no occasion of civil life demands greater care in the appearance of a gentleman than the honor of their regiment demands in the display of their uniform, whether in full dress, dress, or only in moments of ease.

387. Officers and enlisted men will not be permitted to lounge out of tents or quarters bareheaded or in shirt-sleeves.

388. Uniforms will not be worn off duty except by permission of commanding officers. The term "off duty" in this connection applies to occasions of private entertainments, or in the daily occupations of civil life, but does not apply to officers or enlisted men traveling, or passing to or from parades, drills, meetings, or other duty of a military character. Under no circumstances will uniforms be worn in political parades or demonstrations.

389. When officers or enlisted men appear in military dress, the uniform will be worn in its entirety as prescribed, not parts of one and parts of another at the same time, which is most unmilitary and unsightly. A combination of military clothing, and military and citizen's clothing worn at the same time is highly improper, has no excuse, and will not be allowed.

390. If the weather or circumstances make it necessary for the comfort or health of officers and men, commanding officers may authorize the use of service dress or additional clothing.

391. On drill, dress or service uniform may be worn at the discretion of the officer ordering the drill, but citizen's dress never, except by recruits whom it may be necessary to place under instruction before they have had time to become properly uniformed.

392. On long journeys, troops will generally be ordered to travel in service uniform,

393. Upon all duties under arms, the full complement of accouterments appertaining to the arms in use will be worn.

394. Buttons, hooks and eyes, and other fastenings will not be left undone. The uniform coat will invariably be buttoned and hooked at the collar.

395. Boots and shoes must be kept well cleaned and blackened. If tan shoes are worn they must be kept polished; the latter will never be worn with the dress uniform. Slippers, or shoes cut so low as to show the stocking, will not be worn on duty.

396. Trousers will be worn at proper length, falling slightly over the foot in front, in such a manner as not to touch the ground behind; they will not be turned up at the bottom, nor will they be worn inside the boots unless so prescribed, as in the case of leggings or for mounted officers.

397. Hats and caps will be worn evenly on the head, visors directly in front. The hat must at all times be worn creased in the middle, as issued.

398. Watch guards, chains, and seals will not be exposed. Neckties other than plain black or white are prohibited.

399. Commanding officers will secure uniformity in shirt-collars throughout their commands. No shirt-collar will show more than one-quarter of an inch above the coat-collar; when collars in regular use can not be made to conform to this rule, they should be removed, and a false standing collar stiffly starched, to lap in front about half an inch, will be fastened inside the coat-collar. Corners of collars will never be bent over or outward.

400. Overcoats, when worn in ranks, will be buttoned throughout and the collars turned down. Commanding officers may, however, order the capes turned back inward, and the corners secured by one button behind the shoulders; they may also, when the weather requires, order collars turned up.

401. At guard-mounting overcoats may be directed to be worn over the accouterments.

402. The insignia of the Veterans of the Mexican War, the Military Order of the Loyal Legion, the Grand Army of the Republic, the United Spanish War Veterans, and of the armies or army corps, indicating actual service in the field, medals presented by the United States, the State, or by the Native Sons of the Golden West, indicating service in the Spanish-American War, and badges indicating long and faithful service in the National Guard of this and other States, and State decoration for marksmanship, may be worn by officers and men of the National Guard entitled to them, upon the left breast, in one line, on the dress or full-dress uniform coat, the top of the ribbons on a line with the armpit, in the order named above, from right to left. No other medals, badges, ribbons, or decorations shall be worn. (Section 2097, Political Code.)

V. Colors.

403. The flags, colors, standards, and guidons of the National Guard of California will be issued in conformity with the United States Army Regulations, except that the regimental, battalion, or squadron colors shall have thereon the State coat-of-arms, instead of the arms of the United States.

404. Whenever in the opinion of the commanding officer the condition of any silken color, standard, or guidon in the posses-

sion of his command has become unserviceable, a survey officer will be ordered to report, for the information of the Adjutant General, its condition and the necessity of supplying a new one. If requiring repair, application to have it placed in serviceable condition should be made to the Adjutant General. Service colors and guidons will be submitted for the action of an inspector when unfit for further use. Upon receipt of new silken colors, standards, or guidons, commanding officers will cause those replaced to be numbered and retained by the organization to which they belong as mementos of service, a synopsis of which, bearing the same number, will be filed with the records of the organization.

405. Whenever a regiment, battalion, or squadron is discontinued, the silken colors, standards, and guidons furnished by the State will be suitably labeled and sent to the Adjutant General of the State for preservation.

ARTICLE X.

DUTIES IN CAMP AND GARRISON.

- I. Camps.
- II. Daily service.
- III. Tents and quarters.
- IV. Daily duties.

I. Camps.

406. This article refers particularly to the annual encampments; but the same principles apply to all occasions when troops are in camp or garrison.

407. Great care must be exercised in the selection of a campground, looking to wood, water, drainage, healthy location, and the roads by which supplies are to reach the troops. There must be good sanitary conditions, especially as to purity of water. A medical officer should be present at the selection of a camp site, and his opinion carefully considered.

408. In camps of instruction or observation, when more than one organization is present, the encampment of the troops in established form may be dispensed with, and the nature of the

ground may determine the location of the camps of the several organizations; each separate camp, however, in such event, must be laid out according to the rules appertaining to its own arm.

409. The forms in which camps will be laid out will conform to those prescribed by United States Drill Regulations, with such modifications as the nature of the ground may require, or as may be approved or ordered by the Commander-in-Chief, or by a brigade commander. In a brigade the general decides whether the regiments encamp separately or together. The position of the color line, guard tents, hospital, officers' horses, baggage wagons, etc., is prescribed by the commanding officer.

410. The troops are established in camp as rapidly as possible, especially after long and fatiguing marches. Commanding officers will see that no delay occurs in acquainting the troops with the details and duties required of them upon first entering or pitching a camp.

411. Pitching and striking tents will conform to the United States regulations. If the camp has previously been established, the companies are dismissed to their respective quarters.

412. Artillery and cavalry will be placed in camp upon similar principles, the horses being cared for after the position corresponding to the form of the camp has been taken.

413. Troops in campaign are generally required to dig ditches around their tents, with drains to lower portions of the ground; but no ditches will be dug on any part of the State camp-ground or on any piece of ground used for an encampment, unless by permission of the Commander-in-Chief in the former, and of the owner of the ground in the latter case.

414. Bed-sacks filled with straw may be used for bedding. Use of loose straw in tents is prohibited. Bedding and equipments will be arranged neatly and with uniformity throughout the camp from reveille to tattoo, under carefully considered instructions by the commanding officer issued, preferably, prior to going into camp. When necessary, bedding should be aired under proper instructions; in this case care should be taken not to make the camp unsightly.

415. If bedding is turned down during the day for the comfort of men who return from guard duty, or outlying duty during the night, or for men marked "sick in quarters" by the medical officer, it must be neatly done, and the bedding returned to its prescribed arrangement when no longer required.

416. Proper places for washing and bathing must be provided. No person should be allowed to wash within one hundred feet of a well, if by doing so any dirty water will be thrown on the ground. Generally the men will not be allowed to wash or throw water in the company streets, or anywhere around their tents. Wash places or stands, for the accommodation of the requisite basins, should be provided; the men should be required to wash there, and in no other place. These places should be as much screened from observation as possible. If the ocean, a river, or a pond with good water, is convenient to a camp, the men should be encouraged to bathe daily, proper precautions being taken to prevent accidents. Screens, when necessary, must be placed at bathing-places; and tents may be used for the men to undress and dress in.

417. The preparation and care of sinks in camp is a very important duty, for which commanding officers, through the proper subordinates, are responsible. It is not always practicable to follow a diagram exactly in providing sinks; and the discretion of commanders must be exercised regarding the best location for them, having reference to the direction of the prevailing winds and the conformation of the ground. Unless other arrangements are made, the officer in charge of the camping party, when one is sent in advance of the regiment, must be instructed to select the best places, according to his judgment. He must cause the sinks to be dug, and screened with bushes or canvas; and one of the first duties of the commanding officer, on reaching camp, must be an inspection of the sinks, to ascertain whether they are properly located or dug. The earth thrown from the excavations will never be taken away, but will remain on the side of the trench, to be thrown back, a little at a time, each morning and evening. When a trench fills up another must be dug. Sinks should be from three to four feet wide at the top of the trench, and at least five feet deep, the length to be regulated according to circumstances. Several smaller trenches are better than a very long continuous one.

418. The arrangement of kitchens in camp demands careful attention; they must be adapted for the preparation of food in the most economical yet wholesome manner; complete drainage must be secured. Commanding officers must be vigilant in inspecting them; this should be done twice a day—once after breakfast, and once after dinner. The officer of the day must see that every precaution is taken to secure cleanliness, and the medical officer will inspect each day the food and method of preparing it, reporting anything amiss.

419. Care must be taken in disposing of the accumulation of refuse and offal in camps. Unless arrangements are made to have all such matter removed from the camp ground daily, all that is combustible must be burned in a safe place, and all that is incombustible must be buried outside the limits of the camp, at least two feet under ground, by the fatigue party each morning, and oftener if necessary. Water-tight casks should be provided at the kitchens for the reception of offal and refuse; the casting of such matter into holes or ditches near the kitchens is prohibited.

420. The regimental colors or standards between reveille and retreat in fair weather, when not in use, may be placed on either side of the entrance to regimental headquarters, the national colors on the right, in which case the quartermaster will provide supports for the colors. Colors, when not in use, will be habitually encased.

421. The flagstaff in camp will be placed as near as practicable to the headquarters of the officer commanding the camp; and the national flag will be raised, under the direction of the sergeant of the guard, every morning at reveille, and in like manner lowered at retreat. The flag will be hoisted at the sounding of the first note of the reveille, or at the first note of the march, if a march be played before the reveille. The flag will be lowered at the sounding of the last note of the retreat, and while the flag is being lowered the band will play "The Star-Spangled Banner," or if there be no band present, the field music will sound "To the Color." When "To the Color" is sounded by the field music while the flag is being lowered the same respect will be observed as when "The Star-Spangled Banner" is played by the band.

II. Daily Service.

422. The duties in garrison and camp are to be conducted, as far as practicable, in the same manner and on the same principles as those provided for the Regular Army.

423. There should be at least two roll-calls, viz., at reveille and retreat. Commanding officers may also order roll-calls in special cases at such times as they may deem necessary. The roll will be called on the company parade by the first sergeant, superintended by a commissioned officer. Ordinarily there will not be any formation for roll-call at tattoo, but the prescribed signal will be sounded, and all noise and loud talking will cease. Call to quarters will be sounded at 10:45 P. M. and taps at 11:00. At taps all lights not authorized by the commanding officer will be extinguished, and the first sergeant or other non-commissioned officer, as the company commander may direct, will inspect his company and report to the officer of the day the names of all unauthorized absentees. Reveille call in garrison will not ordinarily take place earlier than 5:30 A. M. in summer, or 6:30 A. M. in winter.

424. Mess call will be sounded daily as follows: For breakfast, fifteen minutes after reveille roll call; for dinner, not earlier than 12:00 M. nor later than 12:15 P. M.; for supper, not earlier than 5:00 nor later than 6:30 P. M. Meals for enlisted men will be served promptly at the hours appointed, and the duties of the post or camp, as far as compatible with the requirements of the service, will be so arranged that the enlisted men may be present.

425. Except at the ceremony of parade, the result of a roll-call will be reported after the companies have been dismissed, to the officer superintending the call, who will report the result to the commanding officer.

426. In camp or garrison the commanding officer fixes the hours for reports, issues, and roll-calls, and for the performance of stated duties and fatigues. Retreat will be at sunset. The signals will be sounded by the field musicians in accordance with authorized drill regulations.

427. After breakfast, and after stable duty in the cavalry, the tents or quarters and adjacent ground will be policed by the

men of the companies, and the guard house or guard tent by the prisoners, or by members of the guard if there be no prisoners.

428. All policing must be completed when guard-mounting is finished, and the details returned to their companies for duty.

429. The morning reports of the companies, signed by the company commanders and first sergeants, will be handed to the adjutant before 8:00 o'clock in the morning, and will be consolidated by him within the next hour. The consolidated report will be signed by the commanding officer and the adjutant.

430. At each stated roll-call, the commanding officer, or a field officer designated by him, will station himself in front of headquarters. The adjutant will station himself near this officer; and in this position will receive the reports of the results of the roll-calls from the company officer superintending the roll-call, and from the drum major that of the band. Each company officer and the adjutant salute each other, the junior making the first salute. The adjutant having received all the reports, will turn to the commanding officer, or the designated field officer, salute, and report the general result, specifying the number of absentees, if any, or reporting *All present, sir*. If a field officer has been detailed to receive the result of the report, he waits on the commanding officer, and reports it to him. At evening parade the results of the roll-calls are reported to the officer commanding the parade, through the adjutant.

431. In camps containing more than one organization a copy of the consolidated morning reports, signed as above prescribed, will be sent to the headquarters of the officer commanding the whole at the hour fixed. Each company morning report will account on its face for every officer and enlisted man belonging to the company. The names of the absent commissioned officers and all in arrest will be written on this report. The adjutant may also, whenever he sees fit, require from each company commander a complete roll of his company.

432. The call for the assembly of the musicians will be sounded by the musician of the guard five minutes before the time for the stated calls. At first call the musicians will assemble at such place as may be designated.

433. *The General* is sounded only when the whole command is to march, and is the signal to strike the tents and prepare for the march.

434. *To the Color* is the signal to form by regiment.

435. *The Long Roll* (to arms) is the signal for getting under arms in case of alarm, and must never be sounded at any other time.

436. The drum major will be responsible that the musicians under his charge conform to the rules and discipline of the camp. He will call the roll and make the same daily reports as herein prescribed for first sergeants of companies.

437. Bands and field musicians may practice during the time allotted for morning drill, in such places as may be prescribed for them; they should be far enough away to prevent the sound of the instruments from disturbing drill.

438. No person, except a musician, will make a sound upon any drum or musical instrument, and no musician will sound a drum or instrument, except for the authorized calls, or music necessary to the conduct of duty, or by permission of the bandmaster or principal musician for the purpose of practice.

439. In camp in the evening, if the regiment is provided with a band, it should play for at least an hour, in a central position in the camp of its own regiment; this will have a tendency to keep the men of each regiment contentedly within their own lines, and will materially assist in the preservation of order. As a general rule, no band should leave the limits of its own regimental lines during the evening. Regimental bands will under no circumstances be permitted to leave the limits of the camp without the permission of the commanding officer of the camp.

440. By arrangement between regimental commanders, when in a camp where regiments are so closely grouped that two or more bands playing at the same time may make confusion, bands may be concentrated on the color line, general parade, or other convenient place for concert purposes; provided, that the place selected may be such that the regiments whose bands are thus concentrated may hear the music as equally as possible.

441. In camp or garrison, when artillery is present, a morning gun is fired at the first note of the reveille, or if marches are played before reveille, it is fired at the commencement of the first march. The evening gun is fired at the last note of retreat.

442. All persons not belonging to a camp or garrison must leave at tattoo, unless they have permission from the proper authority to remain.

III. Tents and Quarters.

443. No soldier shall sleep out of his own quarters without permission from the proper authority:

444. No officer will be allowed to occupy a house, although vacant and on the ground of his camp, except by permission of the commanding officer of the camp.

445. The marking or defacing of tents in any manner whatsoever is strictly prohibited. Officers to whom tents are delivered will be held accountable for the observation of this rule, to which they will especially call the attention of chiefs of squads. Such officers, in case of willful defacement of tents, may be required to pay full value thereof, or to replace the same.

446. To prevent straining or tearing the canvas, tent-ropes must be slackened at tattoo, if not earlier, and during wet weather; to be tightened again at reveille, or when the weather clears. In fair weather tents will be looped up on all sides.

447. The foregoing paragraphs refer equally to troops of cavalry and mounted artillery.

IV. Daily Duties.

Sick Call.

448. At this call the first sergeants will form the sick (if any are in quarters) in the company street, and march them, or send them under charge of a non-commissioned officer, to the surgeon.

Breakfast Call.

449. At the conclusion of the signal the first sergeant will march the company to mess. Every man present for duty with

the company, except those on guard or other detail, will fall in for meals with his company, at the signal therefor. First sergeants will report absentees.

450. Commanders will see that food is provided for such members of the guard or other detail as are not able to take meals with their companions.

Guard Mounting and Guard Duty.

451. This duty is a test of discipline and intelligence, and must be thoroughly understood by every officer and enlisted man, and will be conducted as prescribed in the Manual for Guard Duty for the United States Army.

Fatigue.

452. At this call the men of each company, under the direction of one of its non-commissioned officers designated by the company commander, will put their tents in order, and thoroughly police, not only their company streets, but the space in front of them to the color line, and in rear of the officers' tents. The non-commissioned officer will be held responsible throughout the day for the appearance of the portion of the camp above described. Before dismissing his men he will report to the officer of the day, to ascertain whether he has any further directions to give concerning the police of the camp.

453. In addition to the general policing by the companies, each regimental commander will make such detail as may be necessary to police the intervals between regiments and the ground from the rear of the officers' tents to the rear of the kitchens, intervals between regiments being divided between contiguous commands; also such other places in camp as may require it. A non-commissioned officer will always be sent in such cases with the detail, which will be assembled on the color line, and report to the officer of the day.

454. The officer of the day is charged with the preservation of quiet throughout the camp after taps.

ARTICLE XI.

MILITARY HONORS AND OBLIGATIONS.

455. Honors, courtesies, and ceremonies will conform to those prescribed in United States Army Regulations.

456. All escort duty will be performed as prescribed in United States Drill Regulations.

ARTICLE XII.

THE STAFF.

- I. General duties.
- II. Adjutant General.
- III. Assistant Adjutant General.
- IV. Assistant Inspector General.
- V. Judge-Advocate General. Judge-Advocate.
- VI. Surgeon-General. Medical officers.
- VII. Engineer.
- VIII. Brigade Quartermaster and Commissary.
- IX. Provost marshal.
- X. Aids-de-camp.

I. General Duties.

457. On all occasions requiring the presence of the staff of the Commander-in-Chief, these officers will take their places according to seniority. When carriages are used the junior officer will be charged with the assignment.

458. The officers of the staff of the Commander-in-Chief will, in addition to their attendance on the Governor when required to do so, make it their duty to frequently visit the military organizations of the State at times fixed for the assembling of the troops. These visits will be made to organizations not too far from the home stations of these officers, or under circumstances that may place them near outlying commands on the occasions above mentioned, and without involving time or travel under orders especially for the purpose.

459. The above regulation is prescribed for the purpose of having the members of the staff of the Commander-in-Chief acquaint themselves with the different commands and their

requirements, giving special attention to the encouragement of the troops, and conveying the interest the Commander-in-Chief has in the National Guard.

460. These officers are not to assume any authority, but should identify themselves with the State troops whenever possible, to promote the common interest that should obtain in the entire military fabric of the State.

461. Each officer of the staff of the Commander-in-Chief will report in writing on the first day of January, the first day of April, the first day of July, and the first day of October of each year to the Adjutant General his observations relating to the visits indicated, for the information of his chief. He will at the same time report his address to military headquarters. He will also report promptly each change of the same.

462. Officers of the staff of the Commander-in-Chief are at all times subject to such detail as the Commander-in-Chief may see fit to assign them.

463. While every staff officer has certain duties peculiar to his office, he has other duties in common with all staff officers.

464. Staff officers should be possessed of tact and discretion, with a courteous bearing toward all. They should be able to make brief and reliable reports of all they observe, and allow nothing to escape their notice.

465. Staff officers should never discuss the actions of their chiefs, nor let it appear from their bearing that they are the repositories of important secrets.

466. Staff officers will not only be required to inform themselves fully as to the duties pertaining strictly to their departments, but will also be expected to perform the duties appertaining to all other departments of the service, and shall be subject to detail for duty in any department, so that in the absence of other staff officers they may be able to perform the duties efficiently.

467. Staff officers must at all times be prepared to attend, and possibly to represent, their chiefs; personal preferences must not be allowed to interfere with this, their first duty.

468. As the bearer of reports to superiors, the staff officer should premise: *General* — has the honor to, etc.; in bearing messages to others he should premise: *General* — presents his compliments, etc. In transmitting orders he will add *by order of*, or *by command of*; or premise: *I am commanded (or directed) by, etc.*

II. Adjutant General.

469. The Adjutant General of the State of California is appointed by the Governor, has the rank of brigadier general, and is *ex-officio* chief of staff of the Commander-in-Chief. He accompanies the Commander-in-Chief in all his reviews and inspections. The Adjutant General shall be in control of the military department of the State, and subordinate only to the Governor in matters pertaining to said department. He will perform such duties as are prescribed by law, or required by the Commander-in-Chief, and such other duties consistent with the regulations and customs of the United States Army as may be required by the Commander-in-Chief. He is, in addition to being chief of staff, *ex-officio* quartermaster general, chief of ordnance, commissary general, inspector general, and paymaster general. All duties of the Adjutant General shall be performed under the direction of the Commander-in-Chief.

470. Everything relating to the effective state of the National Guard, to organization, instruction, discipline, and to official returns relative to these matters, comes within the province of the Adjutant General.

471. The Adjutant General is the regular channel of communication with the Commander-in-Chief. All correspondence relating in any way to the National Guard, from whatever source, intended for the Governor, should pass through the Adjutant General.

472. All orders, special instructions, and general regulations, issued by the Commander-in-Chief, relating to the National Guard, are transmitted or published by the Adjutant General.

473. The Adjutant General will carefully scrutinize all the reports and returns required to be made to him, and will report all delinquent officers and organizations to the Commander-in-Chief.

474. To the Adjutant General will be sent, and in his office will be deposited, all reports and returns of staff officers of the Commander-in-Chief, of inspecting officers and commanding officers, all returns of elections and appointments to office, the proceedings of all courts of inquiry, courts-martial, boards of examiners, and other military boards, certified copies of all regimental or company by-laws, applications and communications from officers, the returns of rifle practice and attendance at drills, and all other writings and papers which are required.

475. The Adjutant General will prepare and issue the necessary books, blanks and papers, with full directions for keeping them; also such books of instruction as the Commander-in-Chief shall approve.

476. It is the duty of the Adjutant General to prepare and transmit to commissioned officers their commissions, and, in a book which shall be the roster of the National Guard, to register the same, and to note therein, as they occur, all changes from any cause.

477. Under the direction of the Commander-in-Chief the Adjutant General alone is responsible for all matters in, or pertaining to, the office of the Adjutant General of the State.

III. Assistant Adjutant General.

478. The Assistant Adjutant General on the staff of the Governor is appointed by him on the recommendation of the Adjutant General. He shall have the rank of colonel, and be assigned to duty in the Adjutant General's office. As the duties of the officers of the Adjutant General's Department include that of inspector, this officer may be, in addition to his other duties, temporarily assigned to that, or any other duty, excepting the command of troops, in the discretion of the Adjutant General.

479. Under the instructions of the Adjutant General the Assistant Adjutant General has charge of the books, reports, returns, correspondence, etc., and clerical force at the General Headquarters, and is responsible for the correctness of all official communications emanating from his office.

480. The Assistant Adjutant General of a brigade is the chief of the staff of the brigade commander, occupying toward that officer the same position that the Adjutant General holds with respect to the Commander-in-Chief; he accompanies his brigade commander to all reviews and inspections of the organizations of the brigade.

481. The Assistant Adjutant General of a brigade has especial charge of the books and records of his office; he conducts the official correspondence of the organization; he is the commanding officer's medium of communication with his command, and all information for the commanding officer reaches the latter through him; he must be familiar with the papers, returns, reports, etc., of all subordinate organizations, their form, purport, use, and destination, in order to facilitate the administration of the command.

482. The Assistant Adjutant General of a brigade will carefully scrutinize all returns of duty performed by members of the brigade, and report delinquents to his commanding officer.

483. To the Assistant Adjutant General of a brigade will be sent all the reports and returns of the brigade staff officers and commanding officers in the brigade; these will either be forwarded as received, consolidated and forwarded, or placed on file as may be proper.

484. All orders, circulars, or papers received from the State headquarters to be distributed, published, or acted upon, will receive from the Assistant Adjutant General of a brigade such attention as may be necessary. It is his special duty to see that there is no unnecessary delay in forwarding documents that should pass through his office.

485. The Assistant Adjutant General of a brigade keeps such books and papers as may be prescribed, and regulates duties depending upon the roster as his commanding officer may direct. On active service in the field, the duties of this officer are varied and important, and he should be a student of the requirements under the circumstances.

IV. Assistant Inspector General.

486. The Assistant Inspector General has the rank of colonel on the staff of the Governor, and shall be the officer regularly detailed for duty with the National Guard of California by the Secretary of War.

487. The Assistant Inspector General will not give orders unless specially authorized to do so, and then only in the name of the superior giving such authority. He will report with strict impartiality all irregularities. He should refrain from informal conversation or comment upon subjects under investigation.

488. The Assistant Inspector General will exercise the greatest care that he does no injustice to organizations or individuals. When investigating accusations prejudicial to the character of an officer, he will make known to the officer their nature, and give him an opportunity to make his own statement in writing, which will be appended to the report. Copies or extracts from an inspection report reflecting upon or commending the character or efficiency of an officer may be furnished him by the commander to whom the report is submitted.

489. Commanders of regiments and companies shall furnish to the Assistant Inspector General or his representatives such information as may be required as to the number and kind of arms, equipments, and military property of the State or United States issued to their respective organizations; and at the conclusion of the inspection of any armory, arsenal, or military storehouse, if the inspector finds the property which ought to be kept therein, or any part of it, missing, injured, unfit for use, or deficient in any respect, he shall forthwith report the facts in respect thereto to the Adjutant General.

490. When ordered to inspect, the Assistant Inspector General upon the staff of the Commander-in-Chief should report in writing as soon as practicable after the completion of the duty; he will state, in connection with his report, the remedies, if any, that have been resorted to by the immediate local commanders for the correction of irregularities or evils that have been brought to their notice by him.

491. Special mention will be made of any officer who has distinguished himself, or who has shown special efficiency in any department of duty. Inspectors will bear in mind that deserved commendation is a great incentive.

492. Inspectors will report at once all irregularities, all violations of the law, regulations, or orders, and any misapplication of funds or property, which they may discover.

493. The brigade inspector occupies to the brigade commander the same position that the Assistant Inspector General holds with respect to the Commander-in-Chief. This officer shall also act as inspector of small arms practice.

494. The brigade inspector will make the detailed inspections of the troops at the annual encampments, and such inspections as the brigade commander may order within his command, and report as soon as possible after the duty is performed.

495. Efficient discharge of the duties of inspectors requires an acquaintance with rules and usages of the service, regulations, and laws for the National Guard, systems of instruction for troops, and the general principles of the military profession. Attention must be given to the study of such matters as pertain to their sphere of investigation; and habits of study and critical investigation should be cultivated. The sphere of investigation of the Inspector General's Department includes every branch of military affairs, except when specially restricted. Inspecting officers should make suggestions for the improvement of the service.

496. Through the inspectors, officers ordering inspections are informed of insufficiencies, irregularities, and defects; they also learn if instructions given through other departments are carried into effect, and if standing or particular orders are properly executed. Inspectors should be prepared to answer all questions as to the efficiency of any portion of the command under inspection.

497. Care must be taken by inspecting officers, that no injustice be done organizations or individuals in reports not sustained by thorough personal examination.

498. On arriving at a command to be inspected, the commanding officer will give the inspector as much information as possible respecting the sphere of investigation, and impart any intelligence which may aid in a thorough performance of the duty.

499. The inspector will critically observe and report upon the number of officers and men present, the number of company drills held each month, and the system of conducting the same; the attendance of officers and men at the drills; the military appearance of the troops, their deportment and discipline, and their proficiency in drill and skill in the use of their weapons; condition of clothing, arms, and equipments, and care taken for their preservation; condition of books of record, money accounts, etc., and if orders are duly promulgated, understood, and observed.

500. The inspector will report whether the officers of the command are properly instructed as to their duties and responsibilities; whether they are acquainted with the law, drill regulations, and the regulations of the State for the government of the National Guard, and evince a knowledge of administrative duties; whether they are zealous in the performance of the duties; whether in the several spheres the officer in command receives from his subordinates the support to which he is entitled; whether non-commissioned officers perform their duties correctly and promptly; whether officers are respected by the men, and how the men are treated by the officers. At encampments the report will include the attendance, efficiency of officers, military appearance of the troops, deportment, discipline, condition of clothing, arms, and equipments, policing of camp and quarters, condition of books and papers, the observance of all orders, and the performance of all duties.

501. In inspecting commands in active service, or departing for such, attention will be directed to the requirements of the troops for a successful campaign; to such matters, for instance, as health, armament, equipment, mobility, etc. Nice and critical examinations into minutiae are not called for under such circumstances.

502. At inspections of infantry, in addition to the general topics hereinbefore mentioned, the inspector will observe the instructions in rifle practice.

503. In the artillery the inspector will observe, in addition to general instruction, whether officers are well instructed in the use of the various kinds of ordnance in the service; whether ammunition in their charge is properly cared for and safely stored, and

whether non-commissioned officers and men understand the use of the guns.

504. The inspector will observe the character, quality, and defects of guns, carriages, appliances, etc., and report fully thereon. He will observe the condition of the horses, whether there is judicious management in their use, whether they receive proper care, and whether attention is paid to stable duty. The inspector will also examine the harness and see that it is properly fitted.

505. In the cavalry, in addition to general duties, inspectors will ascertain and report upon everything pertaining to the specialty of the arm, particularly horsemanship.

506. Inspectors will examine and report on the quantity of medical and other stores, of the general care of patients, the sufficiency of attendance, and general management, number of the sick, etc. Strictly medical inspections will be made by medical officers, under direction of the Surgeon General.

507. Inspectors are the only officers authorized to inspect public property with a view to condemnation. The condemnation and final disposition of such property can only be ordered by the Adjutant General.

508. It is obvious from the nature of the duties required of the inspecting officer, that the office is one of peculiar delicacy and responsibility; and officers in command, and inspecting officers are expected to manifest those qualities of courtesy and forbearance which should always characterize the officer and gentleman.

509. On occasions of inspection, an inspector may publicly inform the troops that opportunity will be given any soldier to lay before him, apart from his officers, a well-grounded complaint.

510. Inspectors, when called upon to inspect unserviceable property, will note whether due care has been exercised, by officers concerned, to protect the State, and will report the officer responsible for any loss.

511. Inspector's report, made on the inventory, will state the exact condition of each article and what disposition it is expedient

to make of it: whether to be destroyed, dropped because of no value, broken up, repacked, repaired, sold, or turned in.

512. For such inspection, the property will be arranged in the order of enumeration in the inventory, and every article will be examined by the inspector. The officer responsible for it will accompany him and be prepared to give all necessary information as to its issue, use, care, and the means taken to preserve it, and its present condition and the cause thereof.

513. Commanding officers of regiments, battalions, squadrons, signal corps, separate troops, batteries, and separate companies are responsible to their commanders that a proper supply of all necessary articles is always on hand and in a serviceable condition, and they are to take the necessary steps to have these articles replaced when such become actually or are officially declared unserviceable. Inspectors will at every inspection satisfy themselves as to the fact of this property being on hand and report facts to their commanding officers.

V. Judge-Advocate General.

514. The Judge-Advocate General, besides performing other duties prescribed by law and regulations, should review all proceedings of courts-martial which require the action of the Commander-in-Chief, reporting thereon in writing; and is the legal adviser of the military department of the State of California in such matters pertaining to the government of the National Guard as may be referred to him by the Commander-in-Chief.

515. The Judge-Advocate General shall, on or before the fifteenth day of December of each year, make his annual report to the Commander-in-Chief through the Adjutant General.

516. To be eligible for appointment as Judge-Advocate, the person selected must be a recognized attorney at law.

517. The Judge-Advocate performs within his brigade duties similar to those performed by the Judge-Advocate General with respect to the National Guard generally.

518. The Judge-Advocate examines all charges and specifications which are preferred within his brigade, and sees that they are properly drawn.

VI. Surgeon General.

519. In the appointing of any person on the medical staff, the appointing power will rigidly scan the abilities of such person, taking into consideration his qualifications and moral habits, as well as professional acquirements and education.

520. The Surgeon General is charged with the administrative details of the medical department, and general oversight and charge of all the officers belonging to it; and he will issue the necessary instructions, from time to time, relating to their professional duties.

521. The Surgeon General may require, from time to time, reports from the surgeons of brigades, regiments, and battalions, relative to the condition of the forces in service; the locations and conditions of armories as to their healthfulness, and the nature of the wounds of those disabled in the service of the State.

522. The Surgeon General makes such inspections in regard to the sanitary condition of encampments, care of sick and hospitals, etc., as he deems necessary, and reports annually, on or before the fifteenth day of December of each year, to the Commander-in-Chief, through the Adjutant General.

523. The Surgeon General shall keep a roster of the medical officers of the National Guard, and shall be informed by the Adjutant General of all details of, or leave of absence to, such officers.

524. It shall be the duty of all medical officers of the National Guard of California to avail themselves of any opportunity to acquire information regarding the organization and work of the National Guard of the State, the Medical Department of the United States Army, or any other military or civil organization whose work might offer suggestions and instruction which would be of value in aiding them to increase the efficiency of their work and that of the medical department. When opportunity offers, medical officers will endeavor to familiarize themselves with the use of wagons, carts, travois, horses, mules, packing methods, boats of various kinds, and other means of transportation over both land and water.

525. Medical officers must remember that in time of war it will fall to the lot of many of them to be responsible for the transportation of sick and wounded soldiers for a great distance over rough and at times seemingly impassable country where the roads are rough or deep in mud, and bridges broken, numerous obstacles in the way, or where at times there are no roads or even trails. These conditions will tax all their strength, patience, ingenuity, and courage, and if in time of peace they have familiarized themselves with the means of transportation mentioned it will be of great service to them under such difficulties.

526. Medical officers must attend to their military duties with the organization to which they are attached, and if their professional duties in their civil practice are so heavy that they have to neglect their military duties to such an extent that they materially impair the efficiency of the unit of the hospital corps or troops to which they are attached, they shall tender their resignation without delay, in order that their places may be filled by surgeons who have sufficient time and can, and will, give their military duties the time necessarily required. The commission given medical officers is not a sinecure, and a considerable amount of work is required of them if they properly attend to their duties.

527. All medical officers can reasonably expect that in time of war their services will be required by the United States, and if in time of peace any medical officer feels that for any reason whatsoever he would be unable to take the field, or go wheresoever his regiment might be sent, he should not assume the position, the duties of which would fall to him under such circumstances.

528. Medical officers of the National Guard are required to diligently study all copies of official handbooks, circulars, etc., relating to the Medical Department of the National Guard and United States Army, its organization, etc., which may be furnished them, and to which reference is made. Especial attention is called to the handbook for the Medical Department of the United States Army.

529. The duties of a military medical officer necessarily involve a large amount of clerical and executive work which is connected with the immediate treatment of the sick and

wounded. That the proper work be done carefully and completely is of very great importance. All reports and returns have a very definite object and must be made out strictly in compliance with instructions issued in regard to them. Particularly so is this the case with the "Report of Sick and Wounded," as on the data furnished much very often depends in deciding a claim for pension on account of sickness or injury received in line of duty, while in the service. This report must be most accurate in order that justice may be done to both the United States and the State, as well as to the soldiers.

530. Instructions for guidance in making up various reports will be found in the Manual for the Medical Department, United States Army, copies of which are furnished the National Guard of the State. A careful study of this manual will prevent many avoidable mistakes. Medical officers will familiarize themselves whenever practicable with various camping expedients, such as are described in Chapter XXI of a "Manual of Military Field Engineering" prepared by the Department of Field Engineering, United States Army.

531. Whenever a patient is transferred from the care of one medical officer to another, the account of his case, taken from the records, shall accompany him.

532. Medical officers will keep such records of the men prescribed for in hospital or quarters, and render such reports as may be directed by the Surgeon General. A duplicate copy of such reports shall be retained as a part of the official record.

533. Medical officers are responsible to their commanding officers that instruments, medicines, and stores are ready at all times when required, properly arranged for use or transportation.

534. Brigade surgeons, subject to the orders of their brigade commanders and general rules established by the Surgeon General, have charge of the sanitary condition of their brigades at encampments and other tours of duty, and establish rules for the surgeons and assistant surgeons.

535. Brigade surgeons report in writing to the Surgeon General, through their brigade commanders, within thirty days from the termination of each tour of duty, of all that may concern

their department; the Surgeon General will forward the same to the Adjutant General.

536. Brigade surgeons, during their tour of duty, examine into all that relates to the health or comfort of officers or men, especially as to the cleanliness of hospitals, quarters, kitchens, stables, or sinks, the care of wells and system of drainage, and the general care of the sick. Anything prejudicial to the health or comfort of the command should be immediately reported to the brigade commander.

537. Brigade surgeons, as well as other medical officers, have no authority to command other than those attached to their department and the sick under their charge, unless by express direction of their superiors; in which case, in giving orders, they will state by whose authority such are given.

538. It is made the duty of the brigade surgeon to cause the various organizations of his brigade to be well instructed in the methods of first aid; to this end he will give such directions to medical officers as may be necessary to accomplish this important service.

539. All requisitions or official communications which require the action of the Surgeon General should be forwarded to him through regimental and brigade headquarters. Requisitions will be forwarded by the Surgeon General to the Adjutant General, with his action indorsed thereon.

540. Necessary guards, nurses, or means of transportation will be furnished to brigade hospitals upon application of the brigade surgeon to the brigade commander.

541. Surgeons and assistant surgeons are subject to the orders of their immediate commanders, and to the general rules established by superior medical officers.

542. Within twenty days from the termination of any tour of duty, surgeons and assistant surgeons shall report in writing, through the proper channels, to the brigade surgeon, all matters concerning the medical department that came under their observation.

543. Surgeons will make to their immediate commanders, and to the brigade surgeon, if serving with a brigade, a daily report of the sick, not including the names of those absent from the tour of duty on account of sickness.

544. Surgeons will prescribe the diet of the sick under their charge, and their directions must be strictly obeyed; any violations rendering the transgressor liable to trial by court-martial for disobedience of orders.

545. Upon the march, or in action, a medical officer shall habitually be attended by an orderly carrying a medical case and such instruments as may be considered necessary.

546. On active duty in the field when an emergency does not admit the making of a requisition in the usual manner, the senior medical officer, with the approval of his commanding officer, is authorized to purchase what may be necessary, and the medical officers of organizations will make requisition, approved by their respective commanders, on this officer for such stores and medicines as are needed by them.

547. Requisitions or purchases will not include a greater amount of supplies than that which is deemed necessary for use during the succeeding twenty-four hours. Regular requisitions will be carefully scrutinized by the medical officer who is to fill them, and the wisdom of the selection of the remedies as to variety, use, and amount, will be carefully judged by him after close study of the sick report of the organization desiring supplies.

548. Receipted bills in duplicate, approved by commanding officers, together with the reasons assigned for the purchase, and a report of the number sick and character of sickness, will be forwarded to the Surgeon General of the National Guard, to be transmitted by him with his indorsement to the Adjutant General; if expenses are to be paid by the civil authority, they are forwarded to the commanding officer of the troops on active service for presentation to the proper civil authority.

549. Whenever practicable, a medical officer shall be in attendance at all small arms practice held on a field range. He shall make provision and proper preparation for the use of such surgical instruments, appliances, and medicines as may be requisite for such service.

550. Medical officers are subject to be detailed as members of courts-martial and military boards.

551. When medical officers are to be tried by court-martial, they are not generally placed in arrest until the court convenes, that they may attend to their regular duties without hindrance.

552. Medical officers have the entire sanitary care of the commands to which they belong. The health of the men depends largely upon good air and ventilation, pure water, good, sufficient, and well-cooked food, cleanliness, and proper clothing.

553. Medical officers will be held to strict account by commanding officers for making all proper recommendations relating to the protection of the health of troops in camp or garrison; the slightest neglect to observe this duty, and the improper carrying out of complete preventive measures, will infallibly be followed by disease sooner or later.

554. The food furnished men should be plain and wholesome, and well cooked; fancy dishes and pastry are injurious, and should not be furnished. Medical officers should examine into this question fully, and report evils.

555. Although the officer of the day is responsible for the cleanliness of the camp, medical officers should also observe it, and immediately report any neglect in sanitation to their commanding officers.

556. The medical officers of regiments, battalions, and squadrons are assisted respectively by the regimental, battalion, and squadron hospital sergeants, who take their instructions from them.

557. The chief medical officers of regiments, battalions, and squadrons shall be entitled to enlisted men in the proportion of one to each company, troop, or battery in addition to the sergeant, to be classified as provided in section 1929, Political Code. These men to be enlisted from locations at or near their permanent stations, and qualified to do duty as cooks, nurses, and attendants in hospitals; and as litter bearers, ambulance drivers, and attendants in the field, and such other duties in connection with the hospital department as may be required of them by proper authority.

VII. Engineer.

558. To be eligible for a commission as engineer officer, the person selected must be a qualified civil engineer.

559. Under direction of their commanding officers the duties of engineer officers comprise reconnoitering and surveying for military purposes; the selection of sites and formation of plans and estimates for military defenses; the construction and repair of fortifications and their accessories of every description; the planning, laying out, and superintending of defensive or offensive works of troops in the field; for the passage of rivers; the examination of routes of communication for supplies and for military movements, and the construction of military roads and bridges; the laying out of camp-grounds; the collection, arrangement, and preservation of all reports, plans, and drawings relating to these specified duties, or any other duties to which they may be assigned.

VIII. Brigade Quartermaster and Commissary.

560. It is the duty of a brigade quartermaster to assist in carrying out the arrangements made by the Adjutant General for the transportation of the organizations of his brigade. He also has charge of, and will regulate, all matters concerning the quartering of every one attached in any way to brigade headquarters, and allots quarters to every one according to seniority when headquarters are to be in buildings, or tents when in camp.

561. A brigade quartermaster is responsible for the cleanliness and police duties in and around headquarters, and soldiers and servants are to implicitly obey his orders in relation therein.

562. When a move is to be made, the brigade quartermaster should send to all concerned, a memorandum giving full details as to the order of departure, the hour at which the baggage is to be loaded and tents struck; any officers failing to receive such instructions should understand that it is their duty to ask the brigade quartermaster for information.

563. All officers going to headquarters to remain over night should report to the brigade quartermaster, who will show them where to pitch their tents, or will allot them quarters.

564. The brigade quartermaster will have general supervision over all quartermasters of the command to which he is assigned; he also has charge of the stables in which the headquarters animals are kept, regulates the issue of grain and forage, and must be strictly obeyed by all attendants.

565. The brigade commissary of subsistence will be governed by the Rules and Regulations for the Subsistence Department of the United States Army, and should become studious in this respect, for the reason that so much depends upon him regarding the supplies and efficiency of the command to which he is attached. Among his other duties this officer has the entire management and control of the mess for brigade headquarters. To him every application should be made for accommodations at headquarters' table. The commissaries of regiments and battalions have like responsibilities concerning their organizations, and special application to acquire a proper understanding of their duties in general is enjoined upon them, particularly in regard to requisitions, issues, returns, and conversion tables.

IX. Provost Marshal.

566. In large encampments or in a large body of troops on active duty, the commanding general may appoint from the field officers, a provost marshal, whose duties are as follows.

567. It is the duty of the provost marshal, under the direction of his commanding officer, to suppress marauding expeditions and to prevent all kinds of disturbances, to keep order and to regulate all places of public resort, to enforce orders with regard to the conduct of a camp or town, and to make searches, seizures, and arrests.

568. The provost marshal arrests stragglers and offenders of the command and all civilians making disturbance within its lines. He may examine the passes of officers and soldiers, and of citizens authorized within the lines; he issues and keeps record of all passes to laborers, teamsters, or others who are not members of the command, but whose duties bring them within the lines.

569. At encampments the provost marshal is especially charged with the preservation of order in the vicinity of the camp, and has charge of the provost guard.

570. The provost marshal will receive and keep any person committed to his charge by an officer of the command to which he belongs, providing the officer committing shall at the same time deliver an account in writing, signed by himself, of the offense of which the prisoner is charged.

571. The provost marshal shall not release any person committed to his charge without proper authority.

572. The provost marshal must keep a full record, in a suitable book, of all prisoners, giving the name, rank, regiment, and company of each military prisoner, the residence of each civil prisoner, with the charges against him, and the time and place of arrest and the final disposition. Any special information of importance will be entered at the time it is received upon the record.

573. The provost marshal should inquire into the circumstances of every offense before ordering the confinement of a soldier or citizen not accompanied by charges.

574. The provost marshal should not, in ordinary cases, place a non-commissioned officer in confinement, but will send him to his quarters in arrest, and report the fact to his regimental commander as soon as possible. He will not, except in the most urgent cases, place an officer in arrest, unless by order of his commanding officer.

575. The provost marshal will report daily the number of prisoners, their names, regiment, company, by whose order confined, and all facts relative thereto.

576. The provost marshal will report in writing, at the close of each encampment, or other tour of duty, of over two days' duration, giving a minute account of his doings thereat.

X. Aids-de-Camp to General Officers.

577. An aid-de-camp occupies one of the most important positions upon the staff, being closely attached to the person of the general, and entrusted with his confidence.

578. There are no distinct or positive duties for an aid-de-camp; he is to do whatever is required of him by the general, and his service will be in proportion to the amount of knowledge, ability, and experience that he may possess.

579. Whatever the general can entrust to his aids he should require them to do, in order to be as free as possible for emergencies. An aid should be at hand to relieve his general from as much detail and mere routine as possible, without putting him to the inconvenience of designating what should be done.

580. The aid-de-camp should know the composition of the force which the general commands, the names of the different commanders, and the time required to communicate with them. He should also know their character, discipline, and disposition.

581. An aid-de-camp is *ex officio* an assistant adjutant general, and, in the latter capacity, is *ex officio* an assistant inspector general.

582. In the general's absence, an aid-de-camp should be as competent to give orders as if the general himself were present. He should possess sufficient knowledge and experience to receive the entire confidence of the general, and to know his plans and designs; so that in case of accident to the general, the disaster would not be irreparable.

583. An aid-de-camp should possess sufficient experience to understand the movements of an enemy, to estimate his force, to anticipate his designs, and to determine the dispositions that must be made to meet him. He should be able to represent the general whenever necessary.

ARTICLE XIII.

TRANSPORTATION.

- I. Officers, and others.
- II. Military property.
- III. Troops by rail.
- IV. Baggage.

I. Officers, and Others.

584. Officers, enlisted men, and other persons in the military service, are entitled to transportation only while traveling on duty by order of competent authority.

585. Officers detailed as members of boards will be allowed \$3.00 per diem and actual traveling expenses in going from and to their homes to attend the sessions of the board.

586. All transportation, both for passengers and freight, whether by water or rail, should be provided by the shortest practicable route; this is not, however, to prevent the use of a competing line though the longest, when it offers lower rates, or the interests of the service would be better secured thereby.

587. When tickets for personal transportation have been purchased, all unused tickets shall be returned to the officer from whom they were obtained.

588. It is the duty of all commanding officers of regiments, battalions, squadrons, signal corps, companies, troops, batteries, and separate organizations, to be prepared at all times for sudden mobilization of their respective commands. When troops are called out in emergency, transportation, quartermaster's supplies, rations, medical and ordnance stores, for moving and subsisting the troops, and the care of the sick, will be provided by the quartermaster, commissary of subsistence, and medical officers, as provided in the several articles of these regulations defining the duties of such officers, and by the methods fixed by the United States Army Regulations.

II. Military Property.

589. Money disbursed by officers for the transportation of public property under proper authority will be refunded by the Adjutant General, on the receipt by him of proper railroad or express vouchers. Property will not be shipped by express without special orders.

590. Each package of property, except personal baggage, shall be plainly marked with the name and address of the person to whom it is to be forwarded, and the name of the person from whom it is sent. When there are more packages than one, they should be numbered from one upward. Packages shall not exceed a size that will require more than three or four men to handle easily, and must be suitable for army transportation.

591. Special arrangements for the purpose of securing the lowest rates possible should in all cases be made with public carriers for transportation; and when rates lower than the tariff rates have been secured, they should be inserted in the bill of lading.

592. All property to be transported by common carriers will be shipped on bills of lading, except where it is authorized to be shipped by express. The bills of lading will consist of two parts, the original and the duplicate, each to be certified by the shipping officer and receipted by the carrier.

593. Bills of lading will show the number, marks, contents, and weight of each package or class of packages to be transported. Erasures, interlineations, or alterations in bills of lading must be explained thereon by the officer forwarding the property, over his signature.

594. The original bill of lading will be given to the carrier at the time the shipment is made; and upon the delivery of the property in good order and condition, will be receipted by the consignee and returned to the carrier, with such further indorsement as may be necessary to insure settlement for the service. The duplicate will be promptly transmitted by the shipping officer to the officer to whom the stores are consigned; and on delivery of the property will be receipted by the latter in the same manner as the original, and forwarded to the quartermaster, to be used in settlement for the service.

595. In case of loss or damage to public property while in possession of the carrier, the bill of lading will not be receipted until such loss or damage is decided upon, and the responsibility therefor fixed; except that when the loss or damage has been ascertained and the responsibility fixed without the action of a board, the bill will be receipted and an indorsement made thereon stating the kind of property lost or damaged, its weight or measurement, and full value, including transportation, and the name of the company or party responsible therefor; or that when a receipted bill of lading is demanded by the carrier, it may be receipted by the receiving officer, after noting thereon the loss or damage which is apparent, and adding that final settlement will await the action of a board. All the indorsements that are made by the receiving officer on the original bill of lading must be put on the duplicate.

III. Troops by Rail.

596. The officer superintending the operation should ascertain the number of men, horses, guns, and material that the several descriptions of cars are capable of taking, the number of loaded

cars that should form a train, and the general resources of the railroad as to cars and locomotives. With this information an officer can always give the railroad authorities exactly the number and description of cars required to move his command.

597. An ordinary standard passenger coach seats sixty persons; when haversacks and canteens, etc., are carried, thirty men to a coach is a more suitable number for comfort on a long journey, leaving space for the impedimenta. A standard sleeping car accommodates twenty-four persons comfortably. The average capacity of a baggage car is twenty thousand pounds; that of a 34-foot box car is from forty to sixty thousand pounds, depending upon the construction of the trucks. An ordinary 34-foot box car will accommodate fifteen horses comfortably. Two guns and limbers can be loaded on one 34-foot platform car; caissons require as much space.

598. In arranging for the movement of any large body of men of the various arms of the service, it is advisable that the infantry should enter the cars at the ordinary passenger stations; the cavalry and artillery, when mounted, at places intended for cattle; and the stores at the freight depots. When this plan is impracticable, arrangements should be made for putting the troops into the cars at points on the line at least five hundred yards apart, rough platforms being erected for the horses and guns.

599. The movement of troops by rail is divided into five distinct operations:

1. The march to the station where the entrainment is to be effected.
2. The entrainment.
3. The journey.
4. The detrainment at the end of the journey.
5. The march from the station where detrained.

March to the Station.

600. When large numbers are to be transported, the operation requires the greatest care to prevent columns from crossing on the way, and to arrange that all shall arrive at the proper station at the appointed time. The place where the several arms of the

service shall entrain, and where the stores are to be loaded, having been decided upon, the time-table for the dispatch of the force is drawn up, and the route to the various railroad stations is selected. The troops should be required to move so as to reach those points exactly at the hour required ; the distances should be nicely calculated to insure this.

601. The approaches to the station must be kept clear, and silence strictly enforced when the troops arrive near them. The arrangements to be made by the responsible staff officer require great care; but, however well devised, disorder will certainly result, unless regimental officers enforce discipline most strictly while marching through a town to a railroad, upon their arrival there, and while entraining. Such operations severely test the discipline of regiments.

602. Only the troops for whom the cars are intended should be allowed to enter the station; and the presence of spectators should be forbidden.

603. When the station at which the troops would naturally entrain is occupied or threatened with a crowd or mob, the commanding officer will cause a space to be cleared and guarded, at some point above or below the station, sufficient to receive his command and their train; he will then have the cars run inside his line of guards and proceed to entrain his men.

604. As a matter of safety, before starting, sentinels will be posted at each end of each car, to keep the men from passing from one car to another, or from standing on the platform, also to prevent unauthorized persons from entering the cars.

The Entrainment.

605. In all movements of troops the various military units should be kept together so far as practicable. Whatever may be the number of either arm conveyed by any one train, they should go fully equipped, having their wagons, draught animals, etc., with them, unless other arrangements have been made in this respect, so as to march off without delay upon leaving the train.

606. Each car should be marked with the number of soldiers it is intended to carry, and the number of the regiment from which it is to be filled.

607. The strictest silence should be maintained from the moment of entering the station until the train has departed. Having entered the cars, infantry will dispose of their rifles, packs, and accouterments as directed by the commanding officer.

608. The smallest possible number of men should be permitted to fall out while in the station. In order to prevent the necessity for their doing so, it is advisable to have a brief halt somewhere near the station.

609. Once in the cars, the men should be kept there, only those required for fatigue being allowed on the station platform. Fatigue parties should leave their arms and accouterments in their cars while at work on the platform. Should all the men be required for fatigue duty, they will be formed at some convenient place; arms will be stacked and properly guarded.

610. On the arrival of mounted troops at the station, the men will dismount, each man taking nothing but his carbine and saber, unless the overcoat is to be worn, and will then be assigned to the cars.

611. Having deposited their accouterments on the spot selected, the men will be divided into detachments, according to the capacity of the cars to be occupied by the horses. The detachments will be numbered from the right, and they will afterwards file from the most convenient flank, each halting opposite the car marked with the number of the detachment.

612. For the shipment of horses when practicable, stock cars should be required that will admit of feeding and watering on the cars.

613. Except in hot weather, as many animals as possible should be packed in a car, as they will ride better than if loosely packed. Before loading cars they should be carefully examined to see that the floor boards are not rotten or broken, and that there are no projecting nails or splinters.

614. The horses should be led by halters and straps up the ramp and into the car, and the halter straps taken off. The first animal should be led to one end of the car and the second to the other end, leaving the center of the car for the last animals loaded. A quiet horse should be selected to go in first, followed by num-

ber one of each detachment. Should a horse be very restive, backing him will generally succeed. Loading horses at night should be avoided. Arrange the animals so that the alternate ones shall face in the same direction.

615. When the horses of a detachment have been entrained, the men should at once proceed to the place where they have left their arms, etc., which they will resume, and fall in; they should remember the number and position of the car containing their horses and fall in in front of it, when they are ordered to detrain.

616. The general rule for loading property is to put in first such articles as will not be immediately needed on arrival at destination. The following order of loading should be followed, unless there is a special reason for departing from it:

1. Ammunition.
2. Enlisted men's baggage.
3. Officers' baggage.
4. Hospital stores.
5. Rations.
6. Cooking equipment.
7. Tentage.

By this arrangement the articles needed first will be unloaded first. The men should carry some ammunition in their belts.

Artillery.

617. On arrival at the station, the command will be drawn up on the nearest convenient ground. The men will dismount, and after being permitted to fall out for necessary purposes, will be formed in front of their pieces, and be assigned to the cars reserved for them. The horses will then be unhitched, and sent to the cars allotted to them, those of the same teams being as far as possible together; they are entrained as already prescribed for mounted troops.

618. The horses are unharnessed before they are placed in the cars. The harness and horse equipments are carried in baggage cars. The harness for each horse is tied up in its blanket, which should be marked and labeled. In loading the harness, that of each team or detachment should be placed in regular order.

619. The guns and carriages are carried on open cars, the pieces are unlimbered, the trails and stocks resting on the floor of the car; the limbers are lashed to the carriages, and the wheels are chocked by pieces of wood nailed to the floor of the car. No projections, whether guns, poles, or spare wheels, are on any account to extend beyond the buffers, or the sides of the cars.

The Journey.

620. In arranging the time-table, it is best to establish a low average speed, so that lost time may be made up by increasing it for short distances occasionally; a quarter of an hour lost by any one train through some trifling accident would otherwise make itself felt throughout the whole column of trains, so as to disturb the time-table drawn up for the entire movement.

621. Every two or three hours, according to the length of the journey, there should be a short halt; and every eight or nine hours, a halt of at least an hour, for feeding both men and horses. In drawing up the time-table, these halts have to be calculated for, and the points selected at which they are to take place. A good supply of water is the first necessity for these halting places, especially where it is intended to feed.

622. If care-takers are attentive, they, by taking advantage of the short halts made by the train, can feed hay and grain easily. Half rations will be sufficient under any circumstances. Before placing the horses on the cars they should be thoroughly cooled and groomed.

623. If the journey is to continue for more than thirty-six hours, the horses should be unloaded every twenty-four hours and should be watered, fed, groomed, and exercised before being loaded on the cars again. If there are stock yards near by, the horses should be turned in them for exercise.

624. Horses are best loaded and unloaded from a stock-chute, but where this convenience is not available and there is no platform, a ramp or chute may be improvised, using for it planks about twelve feet long and from two to three inches thick, depending upon the strength of the wood. A ramp should be about four feet wide, with the planks firmly fastened together by

transverse battens. A strong trestle or crib of logs supports the end of the ramp next the car, while the other rests on the ground and is secured from slipping by strong stakes. An intermediate trestle or a support of logs should be placed to prevent the planks from springing with the weight of the horses. A board should be placed on each side to prevent the horses' feet from slipping over the edges of the plank.

625. In the field, where no chute or ramp is to be found at the place of unloading, material ready prepared for constructing one should be carried with the train. The cars are brought up in succession to the ramp to be loaded or unloaded.

626. The arrangements required for feeding the men at the selected place are considerable. The men must be provided with cooked rations for the whole trip. Hot tea or coffee is especially necessary for the comfort of the men; this can be arranged for at meal stations by telegraph.

627. It takes a long time to water horses in cars, as each has to be supplied from a bucket separately. Upon reaching a feeding station, each officer having cars under his charge during the journey will see that the watering is perfectly done.

628. During all journeys, each car will be under the special supervision of an officer assigned to it, and all company officers are to be with their companies during their halts.

629. If through carelessness every one is not on the train when the time arrives for it to leave, the train must not wait for the absentees.

630. The guard duties at the halting places should be strictly carried out; no intoxicating liquor should be allowed in or near the train.

631. Whenever there is cause for apprehending that the track or road may be interfered with, an extra engine carrying a staff officer with a small guard should be kept running ahead of the leading train, so as to always be just within signaling distance. With the leading train there should be a telegraph operator, with a portable instrument and sufficient copper wire to connect it with the telegraph wires of the road.

- 632.** With the leading train should be a detachment of workmen, with twenty or thirty rails, to repair any slight damage.
- 633.** Each train should be provided with skids, to enable guns and horses to be detrained at any point.

Detrainment.

634. The detrainment is similar to the entrainment. With infantry, the main body should be marched clear of the station and halted on the nearest available open space on the route to be taken, a fatigue party being left to assist in unloading; and as soon as the baggage is handled, the column will march to its destination, no halt being again permitted until well clear of the terminus. No straggling is to be permitted under any pretense whatever. A block at the place of arrival is even more serious than at the point of departure, for it must jam up all the trains in the rear, thereby rendering accidents more liable.

635. Supplies should not be allowed to remain on the cars after reaching their destination, to lock up rolling stock that may be needed elsewhere, and block up the station unnecessarily.

636. When the train reaches its destination, the officers will get out first; the assembly being sounded, the men will get out and fall in opposite their cars. Cavalry and artillery will be marched to some convenient spot selected by the officer commanding, to deposit their arms, overcoats, etc., under proper guard.

637. The door of each car is opened, skids or ramps are placed in position, and the horse opposite the entrance immediately bridled and led or backed out by the man to whom it belongs, the horses to the right and left of it following in turn. The troops will then be formed in the most convenient place, the horses being held until the arms are resumed.

638. If the place of detrainment be obstructed or threatened by a crowd or mob, the officer in charge of the train will, if possible, select a clear spot, not too far removed, and after establishing a guard, will detrain his men at that point.

March From the Train.

639. It is absolutely necessary that troops should move from the station with the least possible delay after arrival, to prevent a block in the rear. The arrangements to secure this will depend to a considerable degree upon the importance of the movement, the season of the year, and the locality. Cavalry and artillery should, as a rule, be dispatched so as to arrive at their destination at least two hours before dark in the evening, and not earlier in the morning than an hour before daybreak.

640. Prolonged marches, with the necessary safeguards for private property, will be conducted as prescribed in the Drill Regulations and other authorized text-books.

641. The wagon trains of a command are under the orders of the senior quartermaster present; regimental and battalion trains are under the immediate orders of the respective regimental and battalion quartermasters, who should accompany them. When trains of different commands march together, the senior quartermaster directs the whole. Trains must be consolidated in such a manner that the movements of the troops are not obstructed.

IV. Baggage.

642. The baggage of a regiment or battalion should be kept by itself; if a load falls off or a wagon breaks down, the whole train of the regiment or battalion to which it belongs must halt and allow the trains of the other regiments or battalions to pass, and the guard and others with the train will be required to replace the load or distribute it in small quantities among the other wagons.

643. The allowance of personal baggage will be regulated by the officer in command of the expedition.

644. Transportation of troops or animals by water will be conducted as prescribed in the Quartermaster's Manual, United States Army.

ARTICLE XIV.

ACCOUNTABILITY FOR PUBLIC PROPERTY.

- I. Bonds of officers.
- II. In general.
- III. Requisitions.
- IV. Issues.
- V. Transfers and expenditure.
- VI. Camp and garrison equipage.
- VII. Returns.

I. Bonds of Officers.

645. All officers of the National Guard having in their possession or under their control property or money of the State, United States, or of any company, must give such bonds and security as may be required by the Adjutant General to secure the State or United States from loss on account of the misuse or misapplication of any State, United States, or company property or funds. The said bond must be with two or more good and sufficient sureties, or as provided in section 1056 of the Code of Civil Procedure, conditioned upon his faithful performance of all duties, and accounting for all property and moneys, including company funds, of which the commanding officer, who is ex-officio treasurer, shall be custodian.

646. Before any commanding officer, or any officer under bond, shall be relieved from responsibility for any money or property of the State or United States, or for any public funds or property for which he is responsible as such officer, he will be required to take duplicate receipts covering such property, from his successor in command or office, and forward one copy through military channels to the Adjutant General's office. He will also prepare a statement in triplicate of his receipts and disbursements of State money since his last account current was rendered; also, a statement of headquarters, company, or organization funds on hand, other than State money, for which he is responsible; also, a statement of all the outstanding indebtedness of the headquarters, company, or organization. These statements will be sworn to as full, true, and correct, before a notary public or an officer of the Guard of the rank of a field officer or above; and one

will assume command by virtue of his commission, execute receipts and bond, and deliver same to the officer promoted, and all of such papers will be forwarded by such officer with his qualification in his new office, and such qualification will not be forwarded unless accompanied by the required receipt, statements, and bond.

650. An officer responsible for property applying for leave of absence will accompany the application with a memorandum receipt for such property from the officer to be left in charge, and on his return to duty will execute and file a like receipt, forwarding the same to the Adjutant General's office with his report for duty.

II. In General.

651. Officers and enlisted men are responsible for the care and preservation of all public property entrusted to their charge, or which may come by any means into their keeping or possession, and will turn it over to the proper officer when called upon to do so.

652. It is the duty of all officers at all times to take the necessary measures to preserve public property entrusted to their care in good order and serviceable condition; and they are personally responsible for any loss or damage due to neglect of this duty.

653. The officer in permanent or temporary command is responsible for all public property in possession of his command, whether he has received for it or not.

654. If an article of public property is lost or damaged by the neglect or fault of an officer or enlisted man, he shall pay the value thereof, or the cost of repairs. To prevent, as far as possible, the loss of small arms while in the hands of troops, officers will take the most stringent measures to guard them; and no one shall be relieved from this responsibility for their loss, except upon clear and convincing proof that no blame can attach to him therefor.

655. All property which comes into the possession of an officer must be taken up on his return and accounted for. When property is received otherwise than by a regular issue, a report thereof must be promptly made to the Adjutant General.

656. Officers issuing or transferring property will, with it, deliver an invoice in duplicate, and officers receiving the property will, without delay, receipt for it in duplicate, if the property and invoice agree.

657. When an officer, to whom public property has been transferred, refuses to receipt for it, the officer who invoiced it may give a certified invoice and will report the facts to the proper commander of the former and ask redress. Copies of all papers relating to the transactions will be filed with his returns.

658. When public property is received by an officer, he will make a careful examination of it to ascertain its quantity, quality, and condition. When the property has become damaged or unserviceable in transit, in store, or when it is deficient in quantity, the officer receiving the property will at once report the facts to the officer from whom he received the property.

659. When packages of military supplies are opened for the first time after coming into possession of an officer, he or some other commissioned officer will be present and verify the contents by actual count, weight, or measurement, and in case of deficiency or damage, he will make written report of the facts to the officer from whom he received the property. If the responsible officer be present and make the report, he will secure the attendance of one or more civilians or enlisted men to make sworn statements in writing regarding the condition of the property when examined.

660. The responsibility for non-examination of all stores or property rests with the receiving officer, and his receipts for property will be conclusive as to his responsibility.

661. When an officer to whom stores are forwarded has reason to suppose they have miscarried, he will send immediate notice direct to the officer who made the issue.

662. Should an officer accountable for public property neglect to render a return thereof or fail in his return to properly account for such property or give satisfactory reasons for such neglect, the money value of the property to be accounted for shall be charged against him, and immediate steps will be taken by the proper officer to collect such money value.

663. An officer can be relieved from accountability for public property only by showing receipts for the property from another officer authorized by order to receive the same; by being authorized to drop it; by expending property, such as ammunition, targets, tent-pins, ax, pickax and hatchet helms, small parts of rifles, carbines, and pistols, and drum heads, showing that it has been used for the good of the service in a lawful manner or as provided for in the following paragraph.

664. Ammunition can only be expended in action, in defense of life or public property, in target practice, in the preliminary instruction of the soldier, and for authorized salutes. The officer's certificate as to the necessity for all expenditures of ammunition must accompany his property return.

665. An officer who receipts for property on the guard report-book under the head of "articles in charge" is relieved from all responsibility for it by the receipt of his successor. Such articles are to be carried on the guard report until no longer fit for use, when they will be submitted for inspection, and if found unserviceable, disposed of as ordered.

666. In case of loss or damage to property from an exceptional cause, as fire or theft, the officer responsible for the property will immediately make a full statement in writing through channels to the brigade commander, who will order a thorough investigation and report to the Adjutant General, stating all the facts in the case, and the extent of the loss or damage. In case of stolen property it is made the duty of the accountable officer to at once make every effort for the recovery of the same.

667. All arms, equipments, and military stores, books, accounts, and records of all kinds, are subject to examination by the inspectors, and by any other officer designated by the Adjutant General.

668. An officer responsible for property worn out or damaged in the public service, will prepare and sign an inventory thereof, and forward it to the Adjutant General, requesting thereon an inspection of the property.

669. An officer accountable for property lost or destroyed will apply to the Adjutant General for a board of officers, enumerating

the articles lost or destroyed and the cause thereof, and shall procure the affidavit of one or more, preferably two, persons in addition to his own, cognizant of the facts, or other satisfactory evidence, to submit to a board.

670. When public property is presented to an inspector for condemnation, the officer responsible will certify on the inventory that the property has not been previously condemned.

671. Inspectors will exercise great care in examining and making recommendations regarding the disposition of property submitted to them for condemnation. Articles "to be continued in service" are such as are still serviceable. Those "to be turned in" are such as can not be repaired at the armory, and are worth the cost of transportation. Those "to be dropped from the return" are such as can not be sold at the armory and are not worth the cost of transportation for repair. If utterly worthless and without money value at or near the place of inspection, they will cause its destruction in their presence and will state in their reports that "the articles recommended to be destroyed have no money value at or near the armory." United States property, however, can not be dropped or destroyed as above set forth, without authority to that effect received from the Adjutant General.

672. Whenever information is received that property belonging to the State or United States is unlawfully in the possession of any person not in the military service, the responsible officer will promptly cause proceedings to be instituted and diligently prosecuted, before the civil authorities, for the recovery thereof, and if the same has been stolen, for the arrest, trial, and conviction, and due punishment of the offenders and their accomplices.

673. Upon satisfactory information that public property, unlawfully in the possession of any person or persons, is likely to be taken away, concealed, or otherwise disposed of before the necessary proceedings can be had in the civil courts for its recovery, the responsible officer will at once cause it to be seized, and will hold it subject to any legal proceedings that may be instituted by other parties. Persons caught in the act of stealing, or making away with stolen public property, will be arrested summarily by the troops and turned over to the civil authorities.

674. Public property will not be used, nor shall labor hired for the State be employed, for any private purposes whatever.

675. All officers are forbidden to give or take receipts in blank for money or property; in all cases the vouchers will be made out in full, and the exact amount of money or quantity of property will be written in the receipt before it is signed.

676. Purchase of uniforms and equipments will be made in accordance with section 2043 of the Political Code. The board provided therein will be composed of three officers, including the Adjutant General of the State.

677. Equipments and clothing having been distributed to the men and marked with their numbers, they will not be allowed to exchange among themselves; each must keep the article assigned to him, and be responsible for its condition.

678. After each parade or tour of duty every article should be returned to the headquarters or armory, its condition examined, and immediate steps taken to replace losses, or repair any damage.

679. No article shall be allowed to be taken from the armory without the permission of the officer having charge of the property, who, on granting permission, must make an immediate record of the articles allowed to be taken out, and the name of the person who takes them.

680. Books of record and instruction are to be treated in all respects like other property; but the former when filled, and wanted to preserve as permanent history of organizations, may, on the approval of the Adjutant General, be dropped as State property, and taken up as headquarters or company property.

681. The liability of an officer for property which has been issued to him is in no way affected by his resignation, discharge, or change of position; it is his duty to transfer it properly, and to settle his accounts as provided for in this article, and to obtain from the Adjutant General a certificate to that effect.

682. An officer in arrest, or suspended from command, is not therefore relieved from the responsibility for property for which he was accountable prior to the arrest or suspension; he will be

required to make the usual returns and reports, and to exercise the same care for its safe-keeping as when in full command.

683. In the use of everything furnished by the United States or State the utmost economy must be practiced; allowances must not be exceeded, in fact the effort should be in the opposite direction. The greatest economy is not only due to the State, but it is absolutely necessary to enable the authorities to carry out a progressive advance in military instruction.

684. All officers accountable for public property of whatever nature will verify the same in the month of December of each year, reporting any loss or damage that may be discovered, at once, to the Adjutant General through intermediate headquarters. Should there be no loss or damage, the report to that effect will be made at the end of the month mentioned, stating also that the property has been duly verified according to regulations.

III. Requisitions.

685. Issues of military property for arming and equipping commands are made by the Adjutant General on requisitions of captains for their companies, and of commanding officers for their respective non-commissioned staffs; and those officers are responsible for the condition and safe-keeping of the property so issued.

686. Requisitions must be duly signed, and must show the number of sergeants, corporals, musicians, and privates in the command; also the articles required, the whole number necessary for the command at its maximum strength and the number actually on hand, and to whom they are to be invoiced. Requisitions must be forwarded through intermediate headquarters to the Adjutant General.

687. When a company is organized, its commanding officer will make a requisition through the proper military channel for such arms and accouterments, ammunition, clothing, and stores as are required.

IV. Issues.

688. Duplicate invoices of articles will be sent with every issue made by the Adjutant General, together with a receipt, which will be signed by the officer receiving the property, and returned direct to the Adjutant General immediately on receiving the property; a note should be made on it of any serious damage to, or bad condition of, the property. The invoices will be retained by the officer; one permanently with the papers of his command, the other until he makes his next property return, with which it will be sent as a voucher. The invoices will be numbered by the receiving officer in a regular series, extending through the term of his accountability; the receipts will not be numbered by him. All certificates of loss of property of the United States in the hands of headquarters or companies will be made in duplicate, one being required by the War Department.

V. Transfers and Expenditure.

689. Officers having public property in charge are forbidden to transfer it to another, either as a loan or permanently, without authority from the Adjutant General, except in case an officer tenders his resignation as provided in the next paragraph.

690. An officer accountable for public property tendering his resignation must turn over the property to the next in command, giving duplicate invoices and taking duplicate receipts, and will forward with his resignation a property return accounting for all the property, and showing that nothing remains on hand to be accounted for.

691. An officer having property on hand which he desires to turn in to the Adjutant General will make application in writing to do so, giving his reasons; if the permission be granted, he will ship the property as instructed, sending duplicate invoices and receipts of it to the Adjutant General; the receipts he will number in the regular series of his property vouchers, retaining one permanently, and sending the other as a voucher with his next property return.

VI. Camp and Garrison Equipage.

692. In camp, each quartermaster should establish a store-tent in which to keep all spare stores and tools when not in use. The tent should be in charge of the quartermaster sergeant, who should be required to see daily that all of the articles are on hand.

693. In collecting property to be turned in, the tents must be carefully rolled, those of each kind being kept by themselves; poles must be regularly piled, and all pins drawn and collected in the boxes in which they were delivered; tools will be gathered and placed with the pin boxes.

694. As soon as possible after the encampment, each officer responsible for property will send through channels to the Adjutant General, a certificate covering any losses sustained during camp service.

695. Tents must be perfectly dry when stored. If on account of the weather they must be taken down and folded while wet or damp, they must be unfolded and dried at the very earliest opportunity, to prevent mildew.

VII. Returns.

696. Form 6A. Annual muster roll for all headquarters and organizations of the National Guard. To be prepared and delivered to the mustering officer immediately prior to annual muster, viz.: each brigade headquarters, two copies; each regimental and separate battalion headquarters, three copies; each company of infantry, artillery, and signal corps, each troop of cavalry, and each detachment of hospital corps, four copies.

697. Form 6C. Annual muster roll for headquarters and divisions of Naval Militia. To be prepared and delivered to the mustering officer immediately prior to annual muster, viz.: headquarters, two copies; each division, three copies.

698. Form 14A. Report of target practice—Revolver.

Form 14B. Report of target practice—Rifle, Carbine.

These reports will be made by all headquarters and organizations in duplicate, and retained until practice for the year is

completed. One copy will then be filed with the records of the organization and one copy forwarded to the Adjutant General through channels, as indicated by printed indorsements on them, not later than November 5th of each year.

699. Form 16. Parade or morning report; for all organizations of the National Guard, and to be used for parades and encampments. To be made in duplicate, and for each day in camp a separate report will be filled out; one copy to be sent to headquarters of respective organizations, and the other filed with current papers of the company, troop, or battery.

700. Form 16A. Parade or morning report; for Naval Militia, and to be used for all parades and cruises. To be made in duplicate, and when on a cruise a report will be made for each day; one copy to be sent to headquarters Naval Militia, the other filed with Naval Division records.

701. Form 17. Consolidated regimental or morning report; to be used for all parades and encampments. To be made in triplicate; one copy will be retained with regimental records and two forwarded for file in brigade headquarters and the Adjutant General's office.

702. Form 17A. Consolidated parade report of Naval Militia; to be used for all parades and cruises. To be made in duplicate; one copy will be sent to the Adjutant General's office and the other filed with current papers.

703. Form 18. Consolidated brigade report, for parades and encampments. To be made in duplicate; one copy to be filed at brigade headquarters and the other forwarded to the Adjutant General's office.

704. Form 19. Consolidated return of the organized and enrolled militia. To be prepared in duplicate by each brigadier general not later than the first Monday in October in each year in accordance with section 1902 of the Political Code; the original to be filed with brigade records and the duplicate forwarded to the Adjutant General.

705. Form 30B. Demand for allowance to brigade headquarters. To be prepared in triplicate at the end of each quarter of the calendar year. Two copies, one to be accompanied by

vouchers for all expenditures, to be forwarded to the Adjutant General; the third copy to be filed with the retained papers of the headquarters to which they pertain.

706. Form 30C. Demand for armory rent, care of arms, and incidental expenses of commanding officers of each organization of the National Guard and Naval Militia. To be prepared in triplicate at the end of each quarter of the calendar year. Two copies, one to be accompanied by vouchers for all expenditures, to be forwarded through their immediate headquarters to the Adjutant General; the third copy, with duplicate vouchers, to be retained and filed with organization records.

707. Form 30D. Demand for allowance to regimental and separate battalion headquarters and bands. To be prepared in triplicate at the end of each quarter of the calendar year. Two copies, one accompanied by vouchers for all expenditures, to be forwarded direct to the Adjutant General; the third copy, with duplicate vouchers, to be filed with records of respective headquarters.

708. Form 41. Demand for annual allowance of all organizations of the National Guard and Naval Militia. To be prepared in triplicate at the end of each fiscal year ending June 30th. Two copies to be forwarded through their immediate headquarters to the Adjutant General, the third copy to be retained and filed as a guide for the preparation of subsequent accounts.

709. Form 44B. Monthly returns for companies; infantry, artillery, signal corps, hospital corps, and troops of cavalry.

Form 44A. Monthly return for division of Naval Militia.

Two copies of the above forms are to be made out by the commanding officer on the last day of each month; one copy to be forwarded through channels to the Adjutant General, the other to be filed with the retained papers of the organization to which they pertain.

710. Forms 62 and 62A. Semi-annual return of ordnance and ordnance stores.

Form 63. Semi-annual return of quartermaster's supplies.

These two forms are prepared by the commanding officers of all headquarters and organizations of the National Guard. They will be made in duplicate twice a year, viz.: June 30th and December

31st, one copy to be sent to the Adjutant General through immediate headquarters, the other to be filed with current records of headquarters and organizations.

711. Form 63A. Semi-annual return of ordnance, ordnance stores, and other property. This form is for use of the Naval Militia, both headquarters and divisions; it will be prepared in duplicate twice a year, viz.: June 30th and December 31st. One copy will be sent to the Adjutant General, the other to be filed with current papers. The copy sent the Adjutant General by the divisions will be forwarded through Naval Militia headquarters; that of headquarters, direct.

712. Form 74. Inventory of State property in possession of the commanding officer of each headquarters and organization of the National Guard and Naval Militia. This inventory is separate and distinct from any return of property required by the Adjutant General. It is demanded by the State Board of Examiners under the provisions of an act of the Legislature as amended March 5, 1901. It will be executed on December 31st of each year in triplicate and two copies forwarded direct to the Adjutant General, the third copy to be filed with current papers of the organization to which it may pertain.

ARTICLE XV.

COURTS-MARTIAL AND MILITARY BOARDS.

- I. General courts-martial.
- II. Summary courts.
- III. Courts of inquiry.
- IV. Boards of officers.
- V. Boards of examination.

I. General Courts-Martial.

713. In the matter of charges and specifications; forms thereof; additional charges; organization, members, president, counsel, reporter; interpreter of courts; challenge; oath; postponement; arraignment; pleas; examination of witnesses; findings; record of proceedings; revision of records; reviewing authority; disposition of records, and all not herein prescribed for courts-martial, summary courts, and courts of inquiry, shall be governed

by the usages of courts-martial, published from time to time, for the benefit and use of the Army of the United States, and the laws and regulations of the State of California governing the militia.

714. Courts-martial are composed of commissioned officers only. All officers of the National Guard, including retired officers, and excepting chaplains, are eligible for detail for the trial of offenders belonging to the National Guard; but no officer will be detailed for the trial of an officer superior to himself in rank, when it can be avoided.

715. A general court-martial may consist of any number of members, not less than five, nor more than thirteen, and a judge-advocate. When, in the course of a trial, the court is reduced in number by reason of absence, challenge, or the relieving of members, it may proceed with business so long as five members remain. When, from any cause, a general court is reduced below the minimum five, the remaining members shall direct the judge-advocate to report the fact to the convening authority, and await further orders. In such a case, if the trial has not been entered upon, new members may be added, but if any testimony has been taken, the court should preferably be dissolved and a new one ordered.

716. The court reduced below a minimum by the absence of members is still competent to meet and adjourn from day to day, until absentees return, or the court is dissolved by competent authority.

717. The Governor is empowered to institute general courts-martial:

1. As Commander-in-Chief of the militia under the Constitution;
2. In the special contingency mentioned in the next paragraph;
3. In particular cases provided for by section 2019, Political Code of California.

718. A brigade commander may appoint a general court-martial for the trial of all officers and enlisted men in his brigade, except retired officers; but when any such commander is the accuser or prosecutor of any officer under his command, the court must be appointed by the Commander-in-Chief.

719. The jurisdiction of courts-martial and courts of inquiry is limited to the purpose of the maintenance of military discipline. Their decisions within their jurisdiction are not reviewable by any court whatever.

720. Courts-martial have exclusive jurisdiction to try for acts constituting military offense only, and also jurisdiction to try for acts which, besides constituting military offenses, are civil crimes. In the latter case, the military ordinarily gives precedence to the civil court.

721. As regards persons, courts-martial have jurisdiction at all times, and in all places, over officers and enlisted men of the National Guard and Naval Militia, and over offenders in general, to whom, owing to the commission of an offense, the military jurisdiction has legally attached, as by an arrest or confinement before the discharge from service. This jurisdiction over persons in the military service of the State of California covers all military offenses committed by them, whether in or beyond the territorial jurisdiction of the State of California.

722. As a rule, military jurisdiction ends when a soldier is discharged. The present exceptions to this rule are, discharged officers and enlisted men guilty of frauds against the State of California, as provided in the 60th Article of War, it being expressly understood that wherein said Article the name "United States" appears, by the laws and regulations of the State of California the name "State of California" shall be substituted for the purpose of determining the offense.

723. As regards offenses, the jurisdiction embraces the offenses specifically mentioned in the Articles of War, or included under the general terms of the 61st and 62d Articles, and those offenses defined by the military laws of the State of California.

724. A court having once assumed jurisdiction of an offense and person, can not by any wrong act of the accused be ousted of its authority, or discharged of its duty to proceed fully to try and determine according to law and its oath.

II. Summary Courts.

725. For the trial of enlisted men of regiments, independent battalions, squadrons, or the Naval Militia, the commanding officer thereof may at any time appoint a summary court-martial, to consist of one officer whose rank is not below that of captain in the National Guard, or the corresponding rank in the Naval Militia.

726. The attendance of witnesses shall be governed as is prescribed in the aforementioned usages for courts-martial, and provisions of sections 2023 and 2025 of the Political Code of California.

727. The matter of punishments and maximum limits of punishment shall be governed by the aforesaid usages for courts-martial and provisions of sections 2006, 2025, 2026, and 2027 of the Political Code of California.

728. In general, the constitution and jurisdiction of courts-martial, summary courts, and courts of inquiry, the form and manner in which the proceedings of such courts shall be conducted and recorded, the forms of oaths and affirmations taken in the administration of military law by such courts, the limits of punishment and the proceedings in revision thereof, shall be governed by the Articles of War and the procedure of similar courts of the United States, except as otherwise provided by State law.

729. For the trial of offenders in the Naval Militia, commissioned officers shall be detailed, and all cases ordered for trial shall be conducted as prescribed for the United States Navy.

III. Courts of Inquiry.

730. Courts of inquiry may be instituted by the Commander-in-Chief for the purpose of investigating the conduct of any officer, either by his own solicitation, or on complaint or charge of improper conduct degrading to the character of an officer; but no such court shall consist of less than three officers, who may, with the approval of the Commander-in-Chief, require a recorder to attend such court in taking testimony and investigating any complaint that may come before it.

731. Such court of inquiry shall, without delay, report the evidence adduced, a statement of facts, and an opinion thereon, when required, to the Commander-in-Chief, through the Adjutant General, who may in his discretion thereupon order a court-martial for the trial of the officer whose conduct has been inquired into.

732. The proceedings of courts of inquiry will be conducted as prescribed by the United States regulations for such courts.

733. The proceedings and records of the courts of inquiry follow the rules prescribed for the guidance of general courts-martial.

734. A court of inquiry may, at its own option, sit with open or closed doors, according to the nature of the transaction to be investigated.

735. The proceedings of any board of officers instituted under the provisions of section 1964 of the Political Code for the examination of any officer of the State forces shall be conducted as fixed by the laws and usages of the United States for courts of inquiry. The records of proceedings will be forwarded direct to the Adjutant General.

IV. Boards of Officers.

736. When public property becomes damaged, except by fair wear and tear, or otherwise unsuitable for use, or a deficiency is found in it, the officer accountable for the same shall report the case to the Adjutant General through the proper military channel.

737. Boards of officers on public property will be ordered only by the Adjutant General, and will be composed of not more than three, nor less than two, commissioned officers. The officers responsible in the matter to be investigated can not serve on such a board. The junior member of the board shall record the proceedings.

738. It is required that boards of officers on public property shall fully investigate the subject of losses submitted to them. They will call for all evidence attainable, and will not limit their inquiries to the proofs or statements presented by the party or

parties in interest. They will rigidly scrutinize the evidence, especially in those cases where property is alleged to have been stolen or embezzled.

739. The board shall have the authority to summon, administer oaths to, and examine witnesses, and to call for or take such depositions as may be necessary to arrive at a correct understanding of the case. This applies only to members of the National Guard.

740. The party responsible for the property to be surveyed will, in all cases, furnish the certificates and affidavits.

741. The party responsible in the matters undergoing investigation shall have the right to be present, impeaching and examining witnesses, or of submitting any evidence that may serve to elucidate his action or liability.

742. In all cases the board will *recommend* that the *officer who is responsible* for the property *be held to accountability* or *be relieved from the same*.

743. The report of the board will be accompanied by all affidavits and other papers, or copies thereof, which were received in evidence.

744. The action of the board will be complete with the approval of the Commander-in-Chief.

745. Six copies of the proceedings will be made for United States property and three copies for State property, the proceedings being separate, and will be signed by all the members of the board, and forwarded by the junior member, as recorder.

746. Proceedings which recommend the relief of officers from property responsibility will not receive approval unless they show that full and careful investigation has been made, and present convincing proof to sustain the findings.

V. Boards of Examination.

747. Boards of examination shall consist of three officers, two of which shall be line officers, and shall be from organizations in the immediate vicinity in which the board is to sit, to be detailed to sit at San Francisco, Sacramento, and Los Angeles, and shall be ordered by the Commander-in-Chief.

748. Such boards shall have the same power to take evidence, administer oaths, and compel witnesses to attend and testify and produce books and papers, and punish their failure to do so, as is possessed by a general court-martial.

749. When returns of appointments or proceedings of elections are received by a board, the persons appointed or elected shall by it be ordered before it within twenty days for examination. The board shall thoroughly examine the candidate for a commission as to his military and general qualifications and under such regulations as the Commander-in-Chief may prescribe; and if, in the opinion of the majority of the board, he is duly qualified, the fact shall be duly certified to the Commander-in-Chief.

750. Whenever practicable to do so, examining boards will be composed of officers of the grade of field officers.

751. In order to insure as much uniformity as possible in the examinations, each board will be guided by the following instructions:

1. Examinations will be oral or written; if oral, not less than ninety nor more than one hundred and fifty questions will be propounded to the candidate; if written, not less than fifty nor more than seventy-five will be propounded to the candidate; at least seventy-five per cent of which in either case will refer to the special duties of the office for which the candidate is being examined.

2. Inquiry will be made under each subhead authorized, and will relate to general principles and their application rather than to mere technical details, and questions will be so framed as to require the minimum number of words possible for an intelligent reply.

3. If the examination is conducted in writing, a numerical value will be attached to each question and the board will credit each answer according to its nature and indicate the same by marginal notes set opposite.

752. The presiding officer of an examining board will notify candidates elected or nominated, when and where to appear for examination.

753. The board will examine into the candidate's moral character and fitness, as well as his physical qualifications for service;

if there be no medical officer on the board, the latter may require the candidate to be examined by a medical officer of the National Guard. The board may call for evidence on any one or all of these subjects. Should the result of the inquiry be unsatisfactory on any one of these points, the examination shall be discontinued, and the ascertained fact or facts reported to the Adjutant General. General officers, officers on the staff of the Commander-in-Chief, judge-advocates, medical officers, and chaplains are exempt from examinations.

754. The board, being satisfied on these preliminary points, shall then examine candidates for the position of commissioned officers as to their knowledge of the English language, and their ability to read and write with facility and correctness; in geography, particularly of this State; in arithmetic, and ability to apply its rules to practical questions; in history, particularly of this country; in the military code, regulations especially as relating to military organizations and grades of officers, office duties, subsistence of troops, obtaining of other supplies, and in drill regulations of the candidate's arm of service, and other authorized text-books, proportionate to the office to be held.

The candidate may be required to drill, in the presence of the board, an organization or part of an organization in size commensurate with the office to be held.

755. The examination of a candidate as to his knowledge of the English language, reading, writing, geography, arithmetic, history, military code, regulations, office duties, and drill of his branch of service, may be divided among the members of the board to expedite the examination, which may be oral, except where the nature of the subject requires it to be in writing. The questions asked should not be stereotyped. On each of the subjects named there shall be placed a possible maximum of one hundred, and no candidate shall be reported favorably who does not obtain in his examination an average of sixty-five per cent at least; unless he be elected or appointed from civil life. The board will also require a knowledge of how and whom to address on military subjects; how to make reports and returns; how to obtain and account for property, how such accounts are to be made, how an officer may be relieved from responsibility for property, how to prepare the necessary papers for such purposes,

and a knowledge in general of the requirements of his particular department. The report of the board on the statement of eligibility and fitness will be in this form: "Reports favorably, sixty-five per cent" (or more), or "unfavorably, sixty-four per cent" (or less), or "favorably, from civil life, as it is believed he will make a good officer," or something to that effect.

756. The examination being concluded, the board will at once make its report, transmitting all the papers in the case, through channels to the Adjutant General. The proceedings of the board will be kept secret by its members.

757. If a candidate shall have been judged unqualified, the Adjutant General will issue the necessary directions for another election.

758. The commanding officer of any regiment, independent battalion, or squadron may order a board, to consist of at least two officers, to examine into the qualifications of enlisted men for promotion in the grades of sergeant and corporal. The senior member of such board will preside, and the junior member will record the proceedings. When such a board is established the officer ordering it may refuse to warrant any non-commissioned officer who shall not have passed a satisfactory examination before it.

759. No man shall be declared competent, who, in the judgment of the board, has not the physical ability to endure the exposure incidental to service.

760. The board being satisfied as to the physical qualifications of the candidate, will examine him in the following subjects: Reading and writing the English language with ease and correctness; duties of the sentinel; military obligation and deportment so far as it relates to enlisted men; hours of service and roll-call; the school of the soldier and company in the arm to which the candidate belongs. In addition, the board will require a candidate for corporal to show that he understands how and to whom to address military communications; of a candidate for sergeant, that he also understands the keeping and making of daily reports; of a candidate for appointment as non-commissioned staff officer or first sergeant, that he understands how to render an

account for, and to keep an account of, property; if from the signal corps, in methods of signaling.

761. Commanding officers of unattached companies will be held responsible for a proper examination of candidates for appointment and promotion of non-commissioned officers in their respective organizations.

ARTICLE XVI.

SMALL ARMS PRACTICE.

762. Small arms practice in connection with discipline forms the most important part of the instruction of the troops composing the National Guard of California. The system under which it will be conducted is prescribed by the Firing Regulations for the United States Army and Organized Militia.

763. All officers are to make themselves thoroughly familiar with the system of instruction adopted for the troops, as well as with all regulations for carrying out the practice, taking advantage of every opportunity for witnessing or joining therein.

764. Officers should endeavor to have the men under them understand the great importance of being able to handle the arms effectively, and that in active service their own safety may often depend upon their individual skill.

765. Every encouragement should be afforded to attain the highest proficiency in the use of the rifle, carbine, and pistol, for without this most essential accomplishment the soldier is of little value and low rating in active operation.

766. Company officers are to go through the entire course prescribed for recruits, and should be present at all the drills and practice of their companies, and acquaint themselves with the proficiency of every man in marksmanship and judging distances.

767. Company and other commanders will make report, in the prescribed form, of all record practice, and will forward the same, through channels, annually, not later than November 5th, to the Adjutant General, giving the names and scores of all participating in the practice.

768. The names of all those reported to sufficiently excel in small arms practice will be published by the Adjutant General in general orders, and those so reported will be thereafter entitled to wear such decorations as may be prescribed by the Commander-in-Chief.

ARTICLE XVII.

AID TO CIVIL POWER.

- I. Call for troops.
- II. Equipment and supplies.
- III. Assembly and movement.
- IV. Contact with mobs.

I. Call for Troops.

769. It must be borne in mind that the provisions of law showing under what circumstances and in what manner the National Guard may be called to protect the State may be changed by the Legislature, and an officer must acquaint himself with the law existing at the time of his action.

770. In case of war, insurrection, rebellion, invasion, tumult, riot, or imminent danger thereof, or resistance to the laws of this State or the United States; or upon call or requisition of the President of the United States; or upon call of any officer of the United States Army commanding a division, department, or district in California, or any United States marshal in California; or upon the call of the chief executive of any city, city and county, or of any Justice of the Supreme Court, or Judge of the Superior Court, or of any Sheriff, setting forth that there is an unlawful or riotous assembly with intent to commit a felony, or to offer violence to person or property, or to resist the laws of the State or United States; or upon call of the Sheriff, setting forth that the civil power of the county is not sufficient to enable him to execute process delivered to him, the Commander-in-Chief is authorized to call into service such portion of the National Guard as may be necessary, and if the number available is insufficient he may call into active service such portion of the reserve militia as may be necessary.

771. It will be observed that, in all cases where the necessity for the employment of troops arises from the action of ill-dis-

posed persons over whom the civil authorities ordinarily hold control, the Commander-in-Chief as a civil officer, or the civil authorities as defined in section 1909 of the Political Code, have alone the power to call for troops.

772. The civil officer is vested with authority to call upon the military commander through the Commander-in-Chief, or in his absence the next in military authority, for the services in his command, whenever, in the judgment of such civil officer, the public interests may require such measure.

773. It is for the civil officer, and for him alone, to judge of the policy, the justice, or the necessity of the measure. He is required by his strict duty to state definitely the service he desires to see performed, and the necessity of troops for the purpose, and to afford such further information as may be necessary to enable the officer in command efficiently to perform the service he is called upon to execute.

774. The civil officer is not authorized to interfere in any way with the formation or details of the force, the military officer being held responsible for the success of the operations to be undertaken; and it is for the latter, and for him alone, to judge in what manner the troops shall effect the object which the civil officer has indicated, and to direct the force in the execution of the service in which it is engaged.

775. But while the instructions of the civil officer are given in general terms, directing the military officer to accomplish a particular purpose, as to disperse rioters, to clear a place, or defend a building, and the mode and means by which the specified purpose is to be attained are directed by the military commander, the latter, to prevent misunderstanding, shall require that his instructions be reduced to writing.

776. The civil officer making the call communicates directly with the superior officer in the chief command of the military force. He does not interfere otherwise with the force or its conduct. Subordinate military officers look to their military superiors for their orders.

777. If, after a lawful call into service, no instructions are given to the military commander by the civil officer, by reason of the

sickness, absence, inability, or death of the civil officer, or for any other cause; or if there be a conflict of jurisdiction between public officers authorized to call to their aid the military force, and who shall make such call; or if contradictory, inconsistent, or unlawful directions shall be given by such officer or officers, the military commander will, if the occasion shall require the use of a military force, himself so direct the troops as to secure the public peace and the due observance of law, agreeably to the call made upon him by the civil authority.

II. Equipment and Supplies.

778. Reserve supplies of ammunition are recommended, in order that the troops may never be unprepared to act decisively, when called upon suddenly in an emergency.

779. If there be not time to make requisition and receive ammunition, or if the proper authority for any reason can not supply it, then the officer commanding the troops will procure it by purchase, and send the account therefor to the Adjutant General for allowance.

780. Under no circumstances will blank cartridges be used by the troops who are to aid the civil power.

781. The dress in which troops may be called upon to encounter a mob will receive serious consideration. Rioters have generally all their muscles free; so should the soldier, as far as possible, or he will not be physically the match for the average rioter. Having due regard to climate and season, service uniform is preferable to any other.

782. Supplies for the medical officers, and means for transporting wounded men, must be carefully looked after. Medical officers are to attend to all matters of supplies which they may need in the performance of their professional duties, and, if regular ambulances can not be had, will give the commanding officer prompt notice of the fact; in such case the latter should cause his quartermaster to provide light spring wagons, covered if possible.

783. The band musicians of each regiment or detachment will be assigned to duty with the medical department for first aid.

III. Assembly and Movement.

784. There are at present certain provisions of law relating to the powers of the militia. Every officer whose command occupies, assembles, or drills in any armory, drill hall, or building allowed according to law for such purpose, shall have control of such premises during the period of occupation, subject to the orders of his superior commanders; and any person who intrudes contrary to orders, or who interrupts, molests, obstructs, or insults the troops, or any of them, so occupying such premises, shall be arrested, and carried before a court of justice and punished according to law.

785. United States troops, or any portion of the National Guard parading, or performing any duty, according to law, shall have the right of way in any street or highway through which they may pass; provided, the carriage of the United States mails, the legitimate functions of the police, and the progress and operations of fire-engines and fire departments, shall not be interfered with thereby.

786. The law affords further protection to troops by making it unlawful for any armed bodies other than the United States forces, or regularly organized corps of the National Guard, or such as may be authorized by the Governor, to parade with fire-arms in public, and prescribing punishment for offenders.

787. From the above provisions of the law, commanding officers will observe that they are afforded upon all occasions the protection necessary to a complete performance of any duty on hand. First, no person can intrude in any armory against orders, or in any way interfere with the troops, without being subject to arrest; secondly, the right of way on all highways through which they may pass is secured to the troops; and thirdly, so far as the law can provide, the parading of unlawful armed bodies, which might otherwise give the troops much trouble, is prohibited. Commanding officers will observe that these three provisions of the law will enable them to dispose quickly and quietly of troublesome persons who might otherwise incite others to disorderly or riotous acts, and thus very probably crush a riot in its incipient state.

788. It is in time of sudden peril that squad lists are of especial use. These should be so arranged that the men can be warned for duty in the shortest possible time, as, for instance, by carefully grouping the men in districts, and by arranging the lists of those in each district in such a manner that the non-commissioned officer or soldier designated to warn the men may do so without loss of time or repetition of distance.

789. The following form of notification, to be printed on a card, of which the soldiers who may be required to warn squads are each to have a proper number to be filled out, is required:

COMPANY —, — REGIMENT.
 — — — (Place and date).

To — — —

You are ordered to appear in the armory at — o'clock (date). You are not to proceed thither in uniform, but will be prepared on arrival there to equip yourself immediately in (here state kind of uniform, and other particulars).
 — — —, Captain, Commanding.

790. The provision concerning the manner in which soldiers in time of trouble shall travel to their armories is very important. All orders for the assembly of troops under such circumstances should be issued with and to enjoin secrecy, for the twofold object of preventing soldiers from being waylaid on their way to their armory, and not to apprise a mob or any part thereof of the assembling of troops.

791. The rule will be laid down by commanding officers, that no officer or soldier is to allow any change in his address to remain unknown to the proper authority. In cases where telegraphic communication alone can reach a soldier to be of service in time, care must be taken beforehand to insure prompt reception and a thorough comprehension of the message on the part of such soldier.

792. Upon the assembly of troops in an armory, should a mob threaten to bar their passage, great care and judgment will be required from commanding officers. Less danger is to be apprehended where a regiment or battalion can be assembled in one place than in the case of a company in a detached armory; but in either case, the officer in command must be prepared to act promptly and efficiently.

793. Should a mob attack an armory, the officer commanding therein must be guided by circumstances. No rule for action can be specifically laid down, owing to the fact that the situation and plan of no two armories are alike. But it may be generally assumed that by a judicious use of barricades and marksmen at important vantage points and windows, together with the superiority which the compact organization and discipline of well-handled troops possess over the generally unorganized efforts of a mob, a comparatively small body of troops properly disposed and determined will keep at bay, if not utterly rout, a mob of considerable proportions.

794. Means for communication between armories and headquarters and superior headquarters in time of trouble should be carefully considered. If signals can be seen from one to another, commanding officers must see that they have men properly instructed in signaling. If signals can not be seen, the telegraph or telephone, when practicable, should be provided. If messengers must be used, ways others than by regular entrance should be devised for egress and ingress, and such messengers should go in civil garb.

795. In cases where messengers in civil garb are used, the means by which they are to be recognized and passed upon their duties must be carefully arranged.

796. Under the title "Transportation" the methods by which troops are to be moved are fully explained. Commanding officers will be very circumspect regarding the points of entraining and detraining, and march their troops any distance required to have these operations conducted in places unobstructed. Troops to be transported by rail must never be entrained or detrained in the presence of a hostile crowd, nor in the presence of any crowd if such can possibly be avoided; neither will trains containing troops be stopped at way stations in such positions that an assault can not be promptly checked. It is a safe rule to stop trains at such a distance from stations, or thickly populated districts, that open country on either side of the track may be availed of to post guards around the train, if necessary, during the halt.

797. Every officer who may be required to move troops through a city or town under orders to preserve the peace should provide himself, if possible, with an accurate map of the place, or a reliable guide, or both, unless he be personally well acquainted with the locality. Troops should not remain in cars while passing through a city or town in which there is a riotous tendency.

798. The regulation formation to be assumed by troops on the march through cities and towns where a disturbance of the peace is threatened, or a mob to be dispersed, can not, from the infinite variety of possible situations, be laid down. Such movements must be left to the judgment of commanding officers. As a rule, however, the formation of troops entirely across the street from building to building (not from curb to curb) will be found best adapted for the purpose, to the exclusion of every other person; and all persons wishing to pass in an opposite direction must be compelled to seek another route, or wait in side streets until the troops have passed. This, in times when such formation is required, is the only safe right of way for troops.

799. The manner of forming the troops is left to the judgment of the officer commanding. He is cautioned not to let his desire to conform strictly to the requirements of drill regulations warp his judgment. At the same time, he will, so far as practicable, use prescribed methods in attaining his formations.

800. A double column of squads may be found useful as a preparatory formation in dealing with mobs.

801. Music will *not* be played for the march of troops proceeding to aid the civil power. The march should be conducted as silently as possible, the words of command being given with only sufficient force to be heard distinctly by those who should hear them, and all cautionary words being spoken quietly; in a word, every means should be taken to have the movement of the troops attract the least attention from the public.

802. A squad of police should accompany each column of troops, to make arrests, or to take into custody persons insulting, molesting, or obstructing the troops.

803. Commanding officers, in moving troops against a mob, will find it of great advantage to be mounted, as they should be in a position to see over the heads of their men and the crowd. When horses are not available, the commanding officer should take means, if possible, to gain a position from which he may look over the heads of his troops.

804. The commander of the military force will be cautious not to allow any persons to become intermingled with the troops, or to close upon them so as to interfere with the maneuvers, and especially to guard the command against being entangled with or disarmed by rioters while marching, or waiting for orders to march, to the scene of disturbance.

805. Under no circumstances should any part of a crowd be allowed to remain upon the sidewalk to threaten the flank of troops, and precipitate a conflict. The sidewalks of a street, by reason of their elevation above the pavement, and because persons upon them are protected from attack on the side toward the buildings, are important strategical places; and if a small body of troops is obliged to make its way through a very wide street, complete possession of one sidewalk is better for a passage than the street, where both flanks may be exposed.

IV. Contact with Mobs.

806. The military officers while acting in aid of the civil authorities will themselves retain the command of the troops, and enforce the most exact subordination and discipline. They will impress upon their commands the necessity of coolness and self-possession, and enjoin absolutely the rule that no man will fire without orders from his proper *military* superior.

807. The troops are authorized to defend from attack their persons, their arms, and any place, building, or street in which they may be stationed. But it is not for every slight attack, or for anything insulting that may be said, that troops will be ordered to fire. There must be necessity for so doing, and the commander must be satisfied that other less dangerous measures will not suffice to secure the safety of the troops.

808. The throwing of missiles or the firing of shots is not considered a slight attack. Nothing so emboldens a mob as a passive resistance, and it should never be allowed. The first stone thrown, or the first shot fired at the troops, should draw two or three shots fired under orders by one or two marksmen designated by the commander, great care being taken that the rest of the troops understand that no other shots are to be fired without orders. The marksmen designated should step out one pace, and the officers should remain in front of their companies and see that the rest of their men remain steady, and that no pieces are brought to a ready without command. Any man in a crowd, or on a roof, or at a window, plainly seen to fire a shot or throw a stone at the troops should be shot, not by an indiscriminate volley, but by a marksman firing by order at that one man, more caution of course being observed if the man to be shot is in the crowd than at a window or on a roof, or at some other place where he can be seen apart from other people. It would also be wise, where it is possible, to have a few discreet marksmen stationed on the roofs of some of the higher buildings in the neighborhood of the riot to keep down single rioters firing, or throwing missiles or bricks from chimneys from buildings upon the troops.

809. It should be remembered that mobs are made up of bone and muscle and without brains. They are always cowards; they only gain courage as they find that those whose duty it is to suppress them are inefficient. Officers who are called out to suppress a riot should realize that it must be done in the very beginning; allow no tumultuous gathering, permit no delay; it is better to take one or two lives at the outset than to suffer the mob to take the lives of many. Order them in a few stern and resolute words to disperse and go to their homes; if these be not obeyed, and it becomes necessary to clear the street, do it boldly and resolutely. The commanding officer should not harangue a mob nor permit his men to hold any conversation with them; the utmost silence should be observed by the troops that all instructions and orders may be distinctly heard and understood, and all should preserve at the moment of action that sturdy bearing, profound silence, and complete indifference to danger, which are so impressive and conclusive when dealing with an angry and excited mob. The commanding officer should remember that he

... the necessity of the law, and that his orders must be
 ... by his troops, but also by all citizens who
 ... themselves against the constituted
 ... those who, being law abiding, have allowed
 ... to be associated with such. Victo-
 ... with the order finds a thousand venal wretches
 ... energetically handled, he is deserted by
 ... that there are so many professional
 ... thieves, and cut-throats, who with
 ... will seek the field of prey, or with the
 ... the sinking ship, renders it absolutely
 ... to the extent even
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... the troops to arrest all
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 ... to be given. After
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perse the rioters. In this effort they will obtain, if possible, the active aid of the civil force. If the troops shall then be attacked or resisted, so as to be unable otherwise to clear the ground, or disperse the rioters, they may fire, or use any other means necessary to attain the end designed; but in no case will they fire without the orders of their proper *military* commander.

812. The order to fire will be communicated to the troops by the superior military officer in command on the spot. It is impossible to specify in advance the particulars or nature of each case of resistance or attack, by rioters or persons engaged in a breach of the peace, which will justify the troops in taking life. The commander himself must examine the scene of disorder, and then, in view of the circumstances, exercise a sound discretion as to the measure of force demanded. His honest and reasonable judgment in a case of apparent necessity is all that is required by the law; and his lawful command will be sufficient protection to all who are subject to his orders. The statute law and general rule applicable to the subject are given in the three paragraphs immediately following.

813. By the laws of the land, homicide, or the taking of human life, is justifiable, when necessarily committed, by public officers and those acting under their command, in their aid and assistance, in overcoming resistance to the execution of legal process, or to the discharge of any other legal duty; and it is also justifiable when necessarily committed by any person in attempting, by lawful ways and means, to apprehend any person for any felony committed, or in lawfully suppressing any riot, or in lawfully keeping and preserving the peace.

814. It will be an axiom for the guidance of military commanders acting in aid of the civil authorities, to use no unnecessary violence, but to employ as much force, and of such a kind, as will suffice to accomplish the object for which their services have been required.

815. The rule of law is, that all persons who, by their presence, give countenance to a riot, are principals, whether they engage in acts of violence or not, especially after notice has been given to disperse. Yet it often happens that a large proportion of a mob are in the first instance mere spectators or

officers, not meaning to aid in a breach of the peace. For this reason, officers are enjoined, unless the exigencies of the case should render it impracticable, or as otherwise provided, to give the required notice and opportunity to disperse, before proceeding to extremities, to the end that all who are well disposed may retire in safety; and as far as practicable, in every case of firing, pains will be taken to make the fire effective only as against those who are actually engaged in the riot.

816. Experience having shown the evil results of firing with blank cartridge in the first instance to suppress a riot, such firing is prohibited. The only eventually merciful measures are the severe ones.

817. The firing is to cease the instant it is no longer necessary, whether the civil officer may order the cessation or not. Care also is to be taken not to fire upon persons separated from the crowd, unless such persons have been plainly seen to be aggressors or instigators of riotous acts.

818. To guard against danger to innocent persons at a distance, the troops will be instructed not to fire over the mob, or in the air, as such a proceeding would, in effect, favor the most daring and the guilty, and might sacrifice the less daring and even the innocent. If the mob is close to the troops, the latter, to avoid the effect of the rising of the shot at short distance, should aim not higher than the center of the body.

819. The ordinary mob yields before the appearance of a powerful military force even more than before their physical power; commanding officers are therefore cautioned not to engage a formidable mob with too small a force; they will be cautious not to weaken their main force too much by detachments, and always to have on hand a sufficient reserve to act with energy and decided effect when their services shall be seriously required.

820. Cavalry, being comparatively powerless when not in motion, should not be exposed in a riot, except when a charge can be made. The charge should be made at a brisk trot or gallop, with the horses well in hand. If the ground is much broken, cavalry can not be used to advantage.

821. When the design is to clear a street or place by a charge of cavalry, provision should be made for the return of the cavalry, or for its support, and the immediate occupation of the street or place by troops of other arms.

822. Machine guns placed at the head of columns or in commanding positions are most effective for the clearing of streets, and will be used if other means shall fail. While the guns are being conducted to their position for opening the fire, it will generally be desirable to mask them with infantry or cavalry. The guns should always be supported by an adequate force of other arms.

823. Machine guns, if properly handled, may be used with terrible effect upon a mob. They should be posted and masked with infantry and may be used by breaking one or two squads to the rear. The fire of these guns will prove so destructive, that the attention and fire of the troops in front, through which they fire, may be used to clear windows and men firing into the streets from the house-tops.

824. If hydrants are numerous and handy, and a supply of water plentiful, a steam fire-engine, and a few lengths of hose with proper pipes, may be found very useful against a mob. A thorough wetting, judiciously administered, will materially reduce the density and dampen the ardor of any crowd.

825. Proper precautions must be taken in advance to have the troops distinctly understand all orders given to them. The confusion and shouting incident to a turbulent crowd will generally drown all vocal commands. Hence it is recommended that the troops in the infantry especially should be carefully instructed in the most important trumpet signals, notably the "*Attention*," "*Forward*," "*Halt*," "*Commence firing*," and "*Cease firing*"; so that these signals may be given when necessary, on the trumpet, and be thoroughly understood. If the troops are not accustomed to all these signals, the trumpet should be used only for the "*Commence firing*" and the "*Cease firing*." If the troops are made to understand that no firing is to take place without the trumpet signal, except where marksmen are individually ordered to fire in particular instances (in which cases verbal directions are easily given), additional steadiness, and less

liability to unauthorized shooting, panic, or accident will be secured. The men should also be assured that they will not be made targets of without opportunity of resenting such attack; but they must be made to understand that the commanding officer alone is the proper judge of how and when they may defend themselves by firing.

826. In street firing where only a portion of the troops are required to fire, great care must be taken to have the whole command understand to which portion the order to fire appertains, and every man who fires is expected to make his bullet tell.

827. The streets of cities are in their nature defiles which are capable of vigorous defense, not only by barricades, but from the windows and house-tops. Troops necessarily maneuver at great disadvantage in such places, and are placed in a still worse predicament if the opposition to them is organized. It may be necessary to occupy the houses, to drive out or capture the inmates, and to avail themselves of the cover of the walls, the better to command opposite windows and house-tops, or to obtain a plunging fire upon a barricade. That done, if the roofs can not be traversed, or do not afford proper facilities for progress, openings must be made with crowbars or battering-beams from one house to another, always in the uppermost stories. In this way a passage may be effected without great loss; whereas, if the columns are pushed through the streets without obtaining possession of the houses on each side, the losses may be very great, and the operation have a demoralizing effect on the men.

828. Barricades in cities should never be attempted by brute force, if they can be flanked by progress through other streets, or reduced as indicated in the preceding paragraph. Artillery, when it can be had, should promptly be used to batter down barricades.

829. A civil officer charged with the execution of process, on making known his character and business, will be conducted to the commanding officer, and by him be permitted to pass and repass all guards and sentinels at reasonable times for the purposes of executing such process.

ARTICLE XVIII.

INSPECTION AND MUSTER.

830. In each calendar year, as soon as practicable after January first, preceding the annual allotment of funds for military purposes under the Revised Statutes of the United States, the Commander-in-Chief shall cause an inspection and muster of the National Guard to be made. The said inspection and muster may be made by an officer of the United States Army.

831. The muster rolls shall be made out and certified to according to the form furnished by the Adjutant General; the officers and non-commissioned officers being placed on the roll in the order of rank, and the privates in alphabetical order, leaving a blank line after each class.

ARTICLE XIX.

NAVAL MILITIA.

832. The Naval Militia shall not be considered as belonging to any brigade of the land forces of the State, but may be attached temporarily for military purposes, in case of actual service, to any brigade of the State troops in case of war, rebellion, riot, or insurrection, or to aid in the enforcement of the laws of the State or United States in the same manner as provided by law for the land forces of the State. When called into the service of the State or of the United States for any purpose, they shall be liable to perform such duties as may be required of them either on shore or afloat.

833. Officers of the Naval Militia prior to being commissioned consequent upon an election, appointment, reëlection, or reappointment shall be subject to examination as provided in section 2112 of the Political Code.

834. The Adjutant General shall establish by rule and regulation the character of examinations required of persons recommended for appointment or elected to office in the Naval Militia, and appoint examining boards for the purpose of holding and conducting such examinations. Such boards may be composed

in part of officers of the United States Navy. No person who shall fail to pass the required examination shall be commissioned.

835. The captain commanding shall prescribe proper examinations for appointment and promotion for any warrant or petty officer, and detail officers to conduct the same.

836. Warrants for warrant officers of the Naval Militia may be issued by the Adjutant General upon the recommendation of the commanding officer of the Naval Militia. Chief petty officers and petty officers shall be appointed by the commanding officer.

837. The Adjutant General shall have power to reduce to the ranks for good and sufficient reasons the warrant officers of the Naval Militia; the commanding officer of the Naval Militia shall have power to reduce to the ranks for good and sufficient reasons the chief petty and petty officers.

838. The system of discipline, routine of duty and exercise of the Naval Militia shall conform with the existing laws governing the United States Navy and the National Guard of California, so far as the same may apply.

839. The required duty of the Naval Militia, or any part of it, may be performed afloat in United States vessels. Officers and men of the Naval Militia temporarily in such service for instruction and drill, and receiving compensation therefor from the United States, shall not, during the same term, be entitled to compensation from the State.

840. Ships of the United States Navy loaned to the State of California for the use of the Naval Militia shall be governed by the regulations for the United States Navy. Officers and divisions shall be assigned for duty on board such ships by the Adjutant General. All officers and divisions so assigned shall be organized as provided by the regulations for the United States Navy. The vessels shall be commanded by officers assigned to that duty by the Adjutant General. In order of rank they shall be as follows: captain, executive officer, navigating officer, division officers. The captain, executive officer, and navigating officer shall take rank in the order named irrespective of the dates or ranks assigned them by their commissions.

841. The senior officer detailed to such ship by the Adjutant General shall be the captain. The executive and navigating officers shall be designated by the Adjutant General.

842. The captain commanding the Naval Militia will promptly forward to the Assistant Secretary of the United States Navy, through the Adjutant General, such reports and returns and other information as may be required by the United States Navy Department. He will also see that such special reports and returns as may be required by the Adjutant General from the various organizations of the Naval Militia, as well as those called for in paragraphs 697, 700, 702, 706, 708, 709, 711, and 712 of these Regulations are promptly made, and forwarded.

843. All boards of the Naval Militia shall be composed of officers of that service, or in part of officers of the United States Navy.

844. Courts-martial for the Naval Militia, when necessary, shall be ordered by the Commander-in-Chief, and shall be organized and conducted under the laws, regulations, and usages of the United States Navy and the provisions and sections relating to military courts in Chapter II, Title IV, Part III, Political Code. The proceedings shall be reviewed and sentences executed as provided in that chapter.

845. Sections 2111 and 2112 of the Political Code, relating to the Naval Militia, will be carefully noted and complied with.

846. The naval divisions shall have the same privileges and exemptions regarding honorary members as provided for companies, troops, and batteries under section 2102 of the Political Code.

847. Relative rank between officers of the Army and Navy is defined in Article II of these Regulations.

ARTICLE XX.

MILITARY CORRESPONDENCE AND RECORD-KEEPING.

848. The following instructions, approved by the War Department for conducting correspondence and keeping the records by the organized militia and volunteer forces, are adopted for the guidance of the National Guard of California:

The object of this article is to reduce to a concise form for the use of the organized militia and such volunteer forces as may be called into the service of the United States, the various laws, regulations, and customs of the service, relating to military correspondence and keeping of military records. As all military instruction looks to its application in time of war, so all methods of military correspondence and record-keeping are valuable in proportion to their ready adaptability for use in the field.

The law requires that when a military organization is mustered out of the service of the United States, all of its records must be sent to The Military Secretary of the Army, in order that they may be used in the subsequent settlement of claims against the Government of all accounts growing out of such service, and for other official purposes. As the volume of such records in the aggregate under the most favorable conditions can not be other than enormous at the close of a war, it is most desirable that they should comprise only the most essential data. Again, when engaged in actual service in the field, it is always difficult and often impossible for regiments to maintain unbroken records. It is usual for the headquarters wagons, in which the records are carried in charge of the regimental clerks, to be taken to a place of safety, usually some miles in the rear, so that it may happen that the adjutant as well as the sergeant major may be separated from their office for some days. During this time it is important that they retain all correspondence, letters, telegrams, orders, etc., that may have been received, and copies of all sent, by the commanding officer, though they be in skeleton, rough draft, or simplest notation, and that these important papers be recorded as early as possible. That they may be prepared for such emergency, it is necessary that all officers and men con-

cerned with the making or keeping of military correspondence should be fully instructed in the simplest and most essential details.

The Business Office.

849. All the clerical business of a military command is transacted at some designated place to which is given the name of "office" or "headquarters." The former is used to designate the place of business of an officer of a supply department, as well as the highest executive authority, such as "Office of the quartermaster (or paymaster)," "Adjutant General (of a State) or Military Secretary of the Army." The term "headquarters" expresses the location of an officer commanding troops; but in its modern application is used to designate the source from which orders and instructions issue. It does not apply to a company, troop, or battery as such, but does apply to a regiment, brigade, division, army corps, or army; to an expeditionary force, as well as to an independent command, though it may not be composed of a greater number than a company. It is proper to say "Headquarters, 3d Infantry," 3d Brigade, 3d Division, etc.; but not "Headquarters, Company C, 3d Infantry," nor "Headquarters, 3d Field Battery," nor "Headquarters, 3d Battalion." Some National Guard companies use the form "Quarters of Company H, — Regiment of Infantry, N. G. of —," "Armory of — Field Battery, N. G. of —." These forms are unobjectionable. A battalion, being a tactical unit, its location should be expressed: "2d Battalion, 2d Infantry, N. G. S. N. Y., Schenectady, N. Y." In the field, unless operating independently, the battalion loses its identity, and its location is that of its regiment. In the District of Columbia, and perhaps in some States, the battalion is recognized by law as an administrative unit, with an adjutant and other staff officers, and in such case, "Headquarters, 3d Battalion, 2d Regiment, D. C. N. G.," is not improper, but such a use of the term is not recognized in the Army, where battalion commanders have no administrative duties. Also, the term "headquarters" would not be used in connection with a fort, camp, cantonment, barracks, etc., though it may be the station of a regiment or brigade. "Fort Monroe, Virginia," "Vancouver Barracks, Washington," "Camp George H. Thomas, Georgia," and not "Headquarters, Fort Monroe,"

etc. The 55th Iowa National Guard at its home station at Ames, or if forming the garrison at Fort Des Moines, would use the term "Headquarters, 55th Iowa National Guard," in correspondence and orders exclusively regimental, but "Fort Des Moines" merely, in matters of post administration. As a rule the headquarters of a regiment of organized militia are officially at the city or town where its colonel resides; in the field they are at the point where the colonel may be; with volunteer troops they follow the rule of the Army.

Adjutants, Etc.

850. The adjutant of a regiment, in addition to his other duties, has charge of its clerical business, and issues orders and instructions in the name of the commanding officer, who may be the colonel, lieutenant colonel, or a major, etc.; an assistant adjutant general or chief of staff, that of a brigade, division, or army corps; the adjutant general, that of a State or Territory. Orders and instructions to a company, troop, or battery, are given verbally, by the first sergeant in the name of the captain; a first sergeant does not sign orders in the name of the captain. If it be desirable that he should send out notices for drill, parade, etc., he can give them in his own name, for which he has abundant authority. It is not improper to use letter paper with printed headings, "Headquarters, 3d Infantry, Pennsylvania National Guard, office of the commanding officer," or "office of the adjutant"; "2d Battalion, 1st Infantry, District of Columbia National Guard, office of the adjutant," or "Company B, 1st Georgia State Troops, office of the captain," nor to have such letter paper provided with a printed brief and indorsement for routine subjects. In short, anything that tends to neatness and system in military correspondence or record-keeping is to be encouraged. And the value of such system becomes the more apparent when the troops are ordered into the field or on campaign, when prompt dispatch of communications becomes an important factor, and sufficient clerical force is not always available.

The Clerical Force.

851. The sergeant major occupies toward a regimental headquarters the position of chief clerk, and has charge, under the

adjutant, of all clerical work, as well as the custody of the records. When the command is about to take the field it is his duty to arrange for a sufficient supply of books, blanks, and stationery, including rubber stamps of every character that will save work, and provide a place in a headquarters wagon for their transportation; that clerks and orderlies are detailed, and their several duties laid down and understood; when in the field to see that the adjutant's office is set up as soon as camp is made, and all its machinery in immediate working order. The same duties devolve upon the brigade and division sergeant majors or chief clerks toward their respective commands. At superior headquarters the clerical work is performed by details from the troops, under the direction of the Adjutant General. The first sergeant is generally charged with the clerical work of the company, and it is usual to detail a suitable man to assist him, who is borne on the rolls as company clerk.

Office Business.

852. All the clerical business of a military office or headquarters is comprehended within the terms "Letters received" and "Letters sent," and all action upon official papers is either of an executive or record character. "Letters received" consist of all written or printed communications coming into the office, whether in the shape of a formal letter, or telegram, or indorsement upon a letter or memorandum, or numbered or unnumbered circular, general or special order in any way relating to the business of the command, and unofficial or informal communications upon official matters, if it be necessary or proper to be recorded, or memorandum made in the office of any verbal communication of which a record should exist, and generally of any information reaching the office to which future reference may become necessary or desirable. "Letters sent" consist of all communications of the foregoing character going out of the office or headquarters.

A standard sheet of letter paper measures $10\frac{1}{2}$ inches in length by 8 inches in width; of foolscap paper, 13 by 8, and in ordering paper for official use, this measurement should be insisted upon for the reason that it fulfills every requirement for subsequent systematic handling. An official letter should refer to one subject

only, and when the contents of the communication cover but a single page a half sheet of letter paper only should be used. Should the length of the communication require more than one page, it is better to write on one side of the paper only, so that the outside of the second sheet, where the communication does not cover more than two pages, may be used for briefing and indorsements. When more than three pages are required for the body of the communication, an additional half sheet, or more if necessary, should be neatly attached to it, so that the last or outer page may be left entirely blank. In the field the exigencies of the situation may frequently require communications to be written on sheets of note paper, pages from note-books, backs of envelopes, etc. In such cases they should, when received, be pasted on a sheet of the standard size of letter paper.

The postoffice address of the writer should be given in his official letters, and indefinite expressions of locality which do not indicate where a letter was written, and to which reply is to be addressed, are to be avoided. Official communications should be signed or authenticated with a pen and not by fac-simile, and signatures should be plainly and legibly written, with the rank and regiment or corps of the writer annexed.

Letters of transmittal should be used only when necessary, and when used must refer only to the matter transmitted; no letters of transmittal are required with rolls, returns, requisitions, estimates, or periodical reports.

Briefs and Indorsements.

853. When a letter is received by the official to whom addressed, or through whom forwarded, if written on letter paper it should be folded in three, and if on foolscap in four, equal folds parallel with the writing, so that each fold will be $3\frac{1}{2}$ or $3\frac{3}{4}$ inches in width. The inner or left edge of the sheet is the top when folded; the left fold of the outer page is the first fold. This first fold is used exclusively for the "brief," the office marks, notes of inclosures, and dates of receipt by the various offices through which it passes.

The "brief" is made at the first office at which it is received and entered. The first line of the brief should give the city or

L. S. 4, 85.

104 Madison Street,

Charlotte, N. C.

January 20, 1904.

To the Adjutant General,

State of North Carolina.

(Through Military Channels.)

Sir:

Having changed my residence from Washington to this city, I have the honor to request that I be transferred from Company G, 2d Infantry, of which I am a member, to one of the companies of the 1st Infantry located in this city.

Very respectfully,

Henry T. Washington,

Corporal Company G, 2d Infantry,

North Carolina National Guard.

First fold.

Second fold.

Third fold.

Model of letter showing proper folding.

Face of the letter and position for folding it; dotted lines above show where creases come in folding.

town from which it is written, the street address, if possible, and the date of the communication, and should commence 2 inches from the top of the fold. A half inch below this line the name of the writer and his rank, company, and regiment (if an officer or soldier) should be given. If the purport of the communication is exclusively of an official character, the rank or office of the writer should be given rather than his individual name, thus: "commanding officer, Co. K, 3d Regiment," "assistant adjutant general, 1st Brigade," "adjutant general (of the State or Territory)," "military secretary, U. S. Army," "quartermaster general," "paymaster general," etc. One-half inch below this should be given a brief analysis of the contents of the communication, avoiding the use of unnecessary words and bringing out the salient points of the communication. Inclosures to the original communication should be noted just below the brief, thus: "1 inclosure," "4 inclosures."

The date of receipt at the first office at which the communication is received and entered should be noted at the bottom of the first fold, say $\frac{1}{4}$ inch from the bottom, thus: "Received, Co. G, 2d N. C. Inf., Jan. 4, 1904"; a similar notation should be made on the next imaginary line above by the office at which the communication is next received, thus: "Received, headquarters, 2d N. C. Inf., Jan. 24, 1904"; and so on from the bottom toward the top of the fold by each office at which the communication is successively received. If a rubber stamp is used for this purpose care should be taken that it be put on neatly and in the order above indicated, so as to leave sufficient space for the successive stamps above. In the same manner the date on which a paper is received back is to be noted in red ink below the indorsement referring it, thus: "Received back —, 1904, with report," or "with report and — inclosures," if such is the case.

The number given the communication by the office at which it is first received should be placed about $\frac{1}{4}$ inch from the top of the first fold, thus: "5/1904, G, 2d N. C. Inf.," and the number given it by successive offices should follow below, thus: "28/1904, headquarters, 2d N. C. Inf.," "75/1904, headquarters, 2d Brigade, N. C. N. G.," etc. Where rubber stamps are used for this purpose, regularity is not so essential, provided a due degree of neatness be observed and care taken that one stamp shall not be placed over another.

First fold.

51/1904, G, 2d Inf., N. C. N. G.
21/1904, Hdqrs., 2d Inf., N. C. N. G.
73/1904, Hdqrs., 1st Brigade, N. C. N. G.
78/1904, Hdqrs., 1st Inf., N. C. N. G.
31/1904, D, 1st Inf., N. C. N. G.

Charlotte, N. C.
January 20, 1904.

Washington, Henry T.,
Capt. Co. G, 2d Infantry,
North Carolina Nat. Guard.

Requests, for reasons stated, transfer
to one of the companies of the 1st Infantry,
located at Charlotte.

1 inclosure to 5th ind.
1 inclosure to 9th ind.

Recd. A. G. O., Feb. 12, 1904.
Recd. Co. D, 1st Inf., Jan. 31, 1904.
Recd. Hdqrs., 1st Inf., Jan. 29, 1904.
Recd. Hdqrs., 1st Brig., Jan. 27, 1904.
Recd. Hdqrs., 2d Inf., Jan. 24, 1904.
Recd. Co. G, 2d Inf., Jan. 21, 1904.

Second fold.

L. S. 5. 24.

[1st indorsement.]

Co. G, 2d Infantry, N. C. N. G.,
Washington, January 19, 1904.
Respectfully forwarded to the Adjutant,
2d Infantry, N. C. N. G., Washington,
N. C., recommending transfer as requested.
Capt. Co. G, 2d Inf., N. C. N. G.,
Commanding.

[2d indorsement.]

Hdqrs., 2d Inf., N. C. N. G.,
Washington, January 26, 1904.
Respectfully forwarded to the Assistant
Adjutant General, 1st Brigade, N. C.
N. G., Statesville, N. C., approved.
William P. Row,
Colonel, 2d Inf., N. C. N. G.,
Commanding.

L. S. 8. 94.

[3d indorsement.]

Hdqrs., 1st Brigade, N. C. N. G.,
Statesville, January 28, 1904.
Respectfully referred to the Command-
ing Officer, 1st Infantry, N. C. N. G.,
Charlotte, N. C., for remark and recom-
mendation.
By command of Brigadier General Hale:
A. T. Brown,
Assistant Adjutant General.

Recd. back Feb. 8, with report and 1 inc.
to 5th ind.

Third fold.

L. S. 7. 44.

[4th indorsement.]

Hdqrs., 1st Inf., N. C. N. G.,
Charlotte, January 26, 1904.
Respectfully referred to the Command-
ing Officer, Company D, 1st Infantry,
N. C. N. G., Charlotte, N. C., to know if
the transfer of this man to his company
will be agreeable.

By order of Colonel Smith:
H. R. Dupont,
Captain and Adjutant.

Recd. back Feb. 4, with report and 1 inc.
to 5th ind.

[5th indorsement.]

Company D, 1st Inf., N. C. N. G.,
Charlotte, February 4, 1904.
Respectfully returned to the Adjutant,
1st Infantry, N. C. N. G., Charlotte,
N. C., inviting attention to accompanying
report of 2d Lieutenant C. P. Jones, of
this company, which is approved.

Henry H. Brown,
Capt., Co. D, 1st Inf., N. C. N. G.
Commanding.

1 inclosure.

Back of letter with brief, indorsements, and notations.

Indorsements.

854. Indorsements commence at the top of the second fold and are numbered serially in order of dates on the second and succeeding folds, leaving room after each for office marks. It is to be noted that the use of the word "headquarters" is not to be attached to companies, troops, or batteries; that company commanders and adjutants of battalions and regiments sign "by order," assistant adjutants general of brigades, divisions, and other higher commands, "by command," thus: "By order of Major Smith," "By order of Colonel Brown," "By command of Brigadier General Hale," "By command of Major General Scott," etc. The instructions of higher officers not exclusively military are communicated by the use of the words "by order" or "by direction," thus: "By order of the Governor," "By order of the Secretary of War, or Assistant Secretary of War." When the space on the second and third folds of the paper is exhausted by successive indorsements, additional space is provided by pasting slips of paper on the underside of the last fold—that is, to the bottom edge of the original paper, each slip when attached to have the same length and width as the original fold and to turn back upon the last fold like the leaf of a book, so that the first fold, on which the brief is made, is always outside. If a half sheet of letter paper of practically the same size as the original sheet of paper on which the communication is written be pasted on the underside of the last fold so that the outer edge will rest exactly even with the outer edge of the original paper, the object sought for can be exactly obtained. Printed labels by way of indorsements, pasted one on top of another, a method followed by some departments of the Government, has never been encouraged by the War Department. In no case should loose wrappers be placed around an official paper except as a mere covering.

Inlosures.

855. All inlosures should be numbered and be given the proper office marks as above stated. Inlosures to the original communication are noted on the first fold just below the brief. If others are added when an indorsement is made, their number, "- inclosure," "4 inlosures," should be noted at the foot of the

Fourth fold.

[6th indorsement.]

*Hdqrs., 1st Inf., N. C. N. G.,
Charlotte, February 7, 1904.*
*Respectfully returned to the Assistant Adjutant General, 1st Brigade, N. C. N. G., inviting attention to the remarks of the Commanding Officer, Company D, which are concurred in, George K. Smith,
Colonel, 1st Inf., N. C. N. G.,
Commanding.*

[7th indorsement.]

*Hdqrs., 1st Brig., N. C. N. G.,
Statesville, February 10, 1904.*
*Respectfully forwarded to the Adjutant General of North Carolina, Raleigh, N. C., approved,
John B. Hale,
Brigadier General Commanding.*
Recd. back Feb. 21, with one inclosure to 9th indorsement.

Space for pasting.

Back of fourth fold.

2

manding General, 1st Brigade, N. C. N. G., Statesville, N. C., who is authorized to transfer the within-named man from Company G, 2d Infantry, as a private, to Company D, 1st Infantry.
*By order of the Governor and Commander-in-Chief:
Samuel White,
Adjutant General.*

[10th indorsement.]

*Hdqrs., 1st Brigade, N. C. N. G.,
Statesville, February 22, 1904.*
Respectfully returned to the Commanding Officer, 2d Infantry, N. C. N. G., Washington, N. C., inviting attention to accompanying copy of Par. 7, Special Order No. 27, c. 3, from these headquarters.
*By command of Brigadier General Hale:
A. T. Brown,
Assistant Adjutant General.*

1 inclosure.

Method of folding and attaching additional slips.

[8th indorsement.]

*Office of the Adjutant General,
Raleigh, N. C., Feb. 19, 1904.*
Respectfully returned to the Com-

100000

Charlotte, N. C.

February 3, 1864.

Gen. Henry Williams,

Company D, 2d Infantry, N. C. N. G.

In obedience to your instructions of the 1st in-
 stant, I called upon Corporal Henry E. Washington,
 Company E, 2d Infantry, who has recently returned to
 this city from Washington, and desires to transfer to some
 one of our city companies, and I have the honor to report
 that in my opinion this man will prove an acceptable
 acquisition to our company. He is employed as cashier
 with the — Tobacco Company of this city, is about

thirty (30) years of age, unmarried, of gentlemanly and
 soldierly appearance, and has no objection to coming to
 us as a private, in the confidence that he will secure pro-
 motion, if given an opportunity to demonstrate his
 ability to deserve it.

Very respectfully,

C. P. Jones,

2d Lieut., 1st Inf., N. C. N. G.

Enclosure to fifth indorsement to model official paper.

*21 / 1904, Hdqtrs., 2d Inf., N. C. N. G.
73 / 1904, Hdqtrs., 1st Brig., N. C. N. G.*

Inclosure to 5th indorsement.

First fold of inclosure to fifth indorsement of model.

*73 / 1904, Hdqtrs., 1st Brig., N. C. N. G.
21 / 1904, Hdqtrs., 2d Inf., N. C. N. G.*

Inclosure to 9th indorsement.

First fold of inclosure to ninth indorsement of model.

indorsement to which they pertain, and also on the first fold of the original communication just below the notation of inclosures to the original communication. To the latter notation should be added the number of the indorsement to which they belong, thus: "1 inclosure, 5th indorsement;" "4 inclosures, 7th indorsement." Inclosures to indorsements are numbered in the same series as those of the original paper, and the number of the indorsement to which they belong is added below. If few in number and not bulky, inclosures may be kept inside the original paper, otherwise they will be folded to the same measure as the original paper and put in a wrapper marked "Inclosures." It is a rule of the Adjutant General's office that clerks through whose hands official papers pass will make the inclosures and slips secure when they are not so, and patch up any papers that are mutilated or torn through much handling.

Channel of Communication.

856. As a rule, communications, whether from a subordinate to a superior, or vice versa, should pass through intermediate commanders. All communications on official matters intended for the Secretary of War or the Chief of Staff should be addressed to The Military Secretary of the Army and forwarded by company commanders to the adjutant of the regiment, by the regimental commander to the assistant adjutant general of the brigade, by the latter to the assistant adjutant general of the division, if there be any, by the latter to the adjutant general of the State (or Territory), thence to The Military Secretary of the Army. This does not mean that every communication that is addressed by a writer to The Military Secretary of the Army, or to the Adjutant General of a State or Territory, through military channels, must necessarily go to him. On the contrary, it should ordinarily be answered by the first officer through whose hands it passes who possesses the correct information upon which to base a reply. Questions on disputed points of drill regulations, of guard manual, firing regulations, or Army Regulations, or of uniform, or interpretations of the militia law, which come from members of the militia to The Military Secretary of the Army by thousands every year, ought not as a rule to go beyond regimental headquarters. All communications from superiors to subordinates

should be answered through the same channel as received. This rule, however, is not to be interpreted as including matters in relation to which intermediate commanders can have no knowledge and over which they are not expected to exercise control.

It is a regulation of the Army that officers who forward communications will indorse thereon their approval or disapproval, and no communication is forwarded to The Military Secretary of the Army for the action of the Chief of Staff or the Secretary of War without some recommendation or expression of opinion.

The commanding general of a corps, division, or brigade, as also the commanding officer of a regiment or battalion, communicates with those under his command through a staff or other suitable officer. To others of equal or superior rank, they themselves sign communications.

Record-Keeping.

857. For the use of regiments, companies, and batteries The Military Secretary of the Army issues, upon requisition, books for recording letters received, an index of letters received, letters sent, an index of letters sent, and for recording orders. Field desks, in which the books can be taken to camp and carried about in the field, are furnished by the quartermaster's department. Company records consist of a company order book, book of letters received and its index, a book of letters sent and its index, a company council book, a sick report book, a company clothing book, a morning report book, a descriptive book, and a duty roster, all of which are obtained by requisition on The Military Secretary of the Army. Company records further consist of orders and instructions received from higher authority, retained copies of various rolls, reports and returns required by regulations and existing orders, and all letters and correspondence affecting the personnel of the company. Regimental records consist of an order book, letters-received book and its index, letters-sent book and its index, and a descriptive and clothing book, furnished by The Military Secretary of the Army; all orders, circulars, and instructions from higher authority, copies of the monthly returns, muster rolls of the field, staff and other regimental returns and reports, and all correspondence concerning the regiment or affecting its personnel.

All military records must be carefully preserved. The Revised Statutes (sections 5403-5408) prescribe penalties for the fraudulent or wrongful destruction, withdrawal, or removal from any public office of any public record, paper, or document of any department. So long as a military organization is in the service of the State its records pertain to and are the property of the State, and should not be taken therefrom. When a militia organization comes into the service of the United States it should commence an entirely new set of records, making timely requisition for the necessary books. All public records and papers, such as letters and telegrams received books, of general and special orders and circulars, books of letters received and sent, guard report, morning report, descriptive and clothing, sick reports, etc., are the property of the United States, and will be required by the War Department in the settlement of claims against the Government and for other official purposes; so that whenever militia organizations are mustered out of the United States service all such records should be carefully labeled and packed and marked, showing the command to which they pertain, and forwarded by express to The Military Secretary of the Army.

The use of colored inks, except as carmine and red ink are used in annotation, is prohibited in the records and correspondence of the Army, and must not be used by militia organizations when in the service of the United States.

Letters Received.

858. For the purpose of keeping a record of letters received, The Military Secretary of the Army issues upon requisition a blank book, 12 by 17 inches, demisheep, russia finish, with cowhide bands, of 264 pages, which, allowing 3 inches for each entry, will contain practically a record of one thousand communications. It is ruled to conform to the foregoing rules of briefing; the date of receipt in black ink, and number of communication in red ink, occupies the first column; the name and rank of the writer in second column; the place where written, the date and purport of the letter, which is transcribed from the brief on the paper, in the third column; the fourth or last column is reserved for the purpose of recording the action. If this action is in the form of a letter or indorsement, a notation will be made, "L. S. (letter

Date of Receipt, and Number.	Name of Writer.	Purport of Letter.	Action.
<p>January 29, 1904..... No. 18.</p>	<p>Washington, Henry T., Corp., Co. G, 2d Inf.</p>	<p>Charlotte, N. C., Jan. 20, 1904. Requests, for reasons stated, transfer to one of the companies of the 1st Inf., located at Char- lotte, N. C.</p>	<p>To the C. O., Co. D., Jan. 30, 1904, "to know if the transfer of this man to his company will be agreeable." Transf. made Feb. 4th with report. The Ass't. Adjutant, General, 1st Brigade, Feb. 7th, "inquiring at- tention to the remarks of the C. O., Co. D., which are con- sidered." See Par. 4, Special Orders No. 27, C. S.</p>

Entry of model letter in Regimental Letters-Received Book (1st Infantry, N. C. N. G.).

sent), (page) 140"; if by a general or special order, "G. O." or "S. O. No. 24, par 1, 1904"; in case the entered communication relates to a subject already acted upon, reference is made to such former communication in the second column "See 115/1904."

Letters Sent.

859. For keeping a record of letters sent and indorsements, The Military Secretary of the Army furnishes upon requisition a book ruled in such a manner as to be self-explanatory. In this book indorsements that are not mere references, or transmittals, are recorded in the same manner as though they were "letters sent," prefaced by a short synopsis of the paper on which the indorsement is placed, thus: (continuing the model letter) in the L. S. book of Co. G, 2d N. C. N. G., "Indorsement on a letter from Corporal Henry T. Washington, Co. G, 2d N. C. N. G., requesting transfer to one of the companies located at Charlotte" (5/1904, the L. R. number of the paper); in the L. S. book of the 1st Brigade, "Indorsement on a communication from the C. G., 1st Brigade, calling for remark and recommendation on a request of, etc. (18/1904)." Then follows the indorsement in full, and must be personally signed by the officer who signed the original indorsement. Letters and indorsements are not numbered, as are Letters Received, but are identified by the page and volume of the book in which they are recorded, and this is noted in red ink on the original letter or indorsement in the upper left-hand corner, thus: "L. S. 4, 85," meaning page 85 of volume 4. For ready reference there is noted in the margin at the left of the book, the page on which appears the last preceding letter or indorsement to the same person or office, as well as the next following, thus: On page 140 of a L. S. book is recorded a letter or indorsement to Col. John Smith, and in the margin is noted 111, meaning that on page 125 appears the last entry of a communication to Colonel Smith, and on page 162 the next succeeding.

For larger and permanent offices, such as that of the adjutant general of a State, a division or brigade or regiment, or of a staff bureau, in fact for any office or headquarters at which it is convenient or practicable to keep a letterpress, the use of a letter copying book is recommended. The quartermaster's department furnishes upon requisition a letter copying book containing a fine

Japanese handmade paper, extra strong, which is carried in stock in various bindings, including canvas, which is preferable for field service, in sizes $10\frac{1}{4}$ by $12\frac{1}{4}$, and $10\frac{1}{4}$ by $14\frac{1}{4}$, of 300, 500, 700, or 1,000 pages. To this book is attached an Arden index with alternative sheets of blotting paper. The paper is of such a quality as to admit of at least three perfect copies. It is customary in The Military Secretary's office to make two and sometimes three copies of telegrams sent, and two of letters sent. The second copy of the telegram is sent to the person to whom the telegram is addressed as a confirmation of the telegram, with a rubber stamp at the head giving the office and date, and a second at the foot "copy by mail." The third copy of the telegram, as well as the second copy of the letter, is filed with the papers, providing the papers remain in the office. In militia organizations at home, and all organizations in the field, it is customary to keep a press copy of the indorsement, which for that purpose should be written or typewritten in copying ink.

Orders.

860. The orders of commanders of armies, corps, divisions, brigades, regiments, posts, territorial departments, and districts are denominated "general orders" or "special orders" of such army, corps, etc., according to character. Publications of decisions, interpretations of law, or regulations, or orders, or matters of information or interest to the troops, are denominated "circulars." Orders issued by commanders of battalions, companies, or small detachments are simply denominated "orders." General and special orders, circulars and orders are numbered in separate series, each beginning with the calendar year or at the time of the establishment of the headquarters, and the first order or circular of each year should, by a memorandum at the foot, give the number of the last order and circular of the previous year, thus: "General Orders No. 104 was the last general order of 1903 from this office"; so that officers can see whether or not they have the series of orders complete, and, if necessary, ask for such as may be missing. General orders and orders of like character are usually printed, but sometimes written. When special orders are printed, they should be printed on paper of the same dimensions as that which is used for the written ones.

General orders are such that it is important that the whole command should know, that is, the time and place of issues and payments, hours for roll-call and duties, police regulations and prohibitions, returns to be made and their form, laws and regulations for the Army, promotions and appointments, eulogies or censures, or results of trial by general courts-martial in all cases of officers, or of enlisted men involving matters of general interest or importance. As a rule general orders should relate to but one subject, but when it is essential that more than one subject be published in general orders the same day, the separate subjects are distinguished by paragraphs, using the Roman numerals, I, II, III, IV, etc.

Special orders are such as concern individuals or relate to matters that need not be made known to the whole command, such as directions for journeys, and leaves of absence of officers, assignments of officers to regiments, furloughs, transfers, and discharges of enlisted men. If more than one special order is issued in a day, each is denominated a paragraph, and distinguished from each other by Arabic figures: 1, 2, 3, 4, etc.

When it is necessary or desirable to communicate information to the troops *that does not convey an order or instructions*, the same is published as a *circular*, usually in the same dimensions of paper as a general order.

The head of an order should communicate the source from which it emanates, as well as the place and date, and the foot of the order the name and rank of the officer who gives the order. Thus: (for a division) "Headquarters, 1st Division, 5th Army Corps, Siboney, Cuba, June —, 1898, General (or Special) Orders No. —, By command of Major General —. Lieutenant Colonel and Assistant Adjutant General"; (for a brigade) "Headquarters, 2d Brigade, 1st Division, 7th Army Corps, Tampa, Florida, August —, 1898, General (or Special) Orders No. —, By command of Brigadier General —, Major and Assistant Adjutant General"; (for a regiment) "Headquarters, 31st Michigan Volunteer Infantry, Macon, Georgia, November —, 1898, General (or Special) Orders No. —, By order of Colonel —, Captain and Adjutant"; (for a company) "Company B, 159th Indiana Volunteer Infantry, Falls Church, Virginia, May —, 1898, Orders No. —, Captain (or Lieutenant) Commanding."

First fold.

HEADQUARTERS 1ST BRIGADE,
NORTH CAROLINA NATIONAL GUARD,
Statesville, February 21, 1904.

SPECIAL ORDERS, }
No. 27. }

* * * * *

4. At his own request and with the approval of all commanding officers concerned, Corporal Henry T. Washington, Company G, 2d Infantry, North Carolina National Guard, stationed at Washington, North Carolina, is transferred as private to Company D, 1st Infantry, North Carolina National Guard, stationed at Charlotte, North Carolina.

This soldier will turn over to the Commanding Officer of Company G, 2d Infantry, all clothing and other pub-

lic property for which the latter is accountable, who will forward receipt therefor, together with his enlistment paper and descriptive roll, to the Commanding Officer of the company to which he is transferred.

* * * * *

By command of Brigadier General Hale:

A. T. BROWN,
Assistant Adjutant General.

Form of Order, and inclosure to ninth indorsement of model.

Blank books for the purpose of recording orders issued by companies, regiments, brigades, etc., are furnished by The Military Secretary's department of the same size as the letters-received book, and, after being recorded, should be signed by the officer signing the original order. As these records are of value in future settlements, facsimiles should never be used, nor the name written in by a clerk.

The Card-Record System. .

861. The card-record system is a method of recording on cards instead of in books, and while it is a superior method for use in a permanent office, where the volume of work is considerable, it is not adaptable for use in the field. In this system the entries above described as being made in the letters-received and letters-sent books correspond to the entries made on the "record cards," and those in the index of these books to the entries made on the "index cards."

Under the card-record system there are three files, viz: (a) a "record-card file," (b) an "index-card file," and (c) a "document file."

(a) The record card contains a brief or abstract of the communication received and a record of the official action taken upon it; that is, a copy of the brief of the paper and a copy or abstract of such important indorsements as may be already on it, and a copy in full of the indorsement, letter, or telegram covering the action on the paper, and notation of any order or circular issued on it. The cards are numbered from one forward continuously and filed in numerical order. When the space on any record card is not sufficient to record all the data specified above, slips of the same size are attached to the card (on the back) as extensions.

(b) The index card is the means by which the record card and the original paper are located. It contains the name and official designation of the writer of the communication and the subject of the same, a separate card being made for each name and each subject of material importance which the paper contains.

The record cards and index cards pertaining to a case are each stamped with the same official number; the former are filed in numerical order and the latter in alphabetical order.

(c) A "document file" consists of the original papers, letters, or other communications which are received and which are retained on the files. These documents are numbered consecutively, and with numbers corresponding to those on the "record cards" and "index cards." With the original documents or papers are filed press copies of any letters or telegrams sent in relation thereto and copies of any orders issued thereon. If the original communication and accompanying papers be not retained in the office, the record card must show that fact in each case, and the press copies of communications, the orders, memoranda, etc., relating to the case which are retained are placed in a jacket or envelope bearing the proper number and filed numerically. The "record cards" and "index cards" used in the files above specified are of uniform size of 8 inches long by $3\frac{1}{4}$ inches wide, and written across their width. Further details of this system will be furnished upon application to The Military Secretary of the Army.

Sick-Report Book.

862. For the purpose of securing an accurate record of all causes of physical disability that a soldier may incur while in the service of the State or of the United States, the names of the soldiers who may be excused from duty on account of sickness, or who may be treated outside of hospitals, or may suffer injuries in the performance of their duties, or otherwise, with all data which, in the event of application for pension, will assist in determining the pensionable status of such persons as may claim any benefit under the pension laws, should be carefully noted. In view of the fact that the Government must rely upon such records, which are filed in the War Department and there held for future reference, the necessity of familiarizing one's self with every detail relative to the entries to be therein made becomes apparent. In order that the same may be complete, this latter element being prerequisite to its value as a record, no day should be permitted to elapse without the proper entry or entries being made. The book itself, while requiring the exercise of care in entering the names of such patients as may be reported sick from day to day, is so arranged that no special instructions or explanation, in addition to that obtainable from the headings, would seem to be

Daily sick report of Company "A," 15th Regiment of U. S. Infantry, for Feb. 2, 1904.

ENTRIES TO BE MADE BY THE FIRST SERGEANT EXCEPT IN COLUMN 4.										SURGEON'S REMARKS.			
1	2	3	4	5	6	7	8	9	10				
Name of Patient.	Rank.	Date when taken sick.	Did the sickness originate in the line of duty? Yes or no.	No. of times reported sick by the Surgeon during the year.	No. of days on sick report during the year.	Did the disability originate in line of duty? Yes or no.	Whether sick in quarters or in hospital.	Of what duty capable when sick in quarters.	Date when patient was returned to duty discharged, died, etc.				
<i>John Doe</i>	<i>Sergt.</i>	<i>2 Feb., '04.</i>	<i>Yes</i>	<i>2</i>	<i>5</i>								
<i>Richard Williams</i>	<i>Priv.</i>	<i>29 Jan., '04.</i>	<i>Yes</i>	<i>1</i>	<i>1</i>								

* I certify that I have carefully examined the above report, and in each case have expressed my opinion, formed from the best obtainable evidence, as to whether the sickness or injury alleged originated in the line of duty or not.
Richard Johnson,
 Captain (or Lieut.) Company "A."

* The examination will be made and the list signed by a commissioned officer of the company before it is sent to the medical officer. If the company officer can not state whether the alleged sickness or injury originated in the line of duty, he will write *undetermined* in column 4.

Surgeon.

[Model page, Regimental Descriptive Book.]

John Smith, sergeant major, 15th Regiment of Infantry. Joined N. C. S. April 1, 1901, at Chicago, Ill. Born at Pittsburg, Pa.; age, 29; occupation, soldier. Enlisted, April 1, 1901, at Chicago, Ill., by Capt. Parker, for 3 years. Eyes, blue; hair, l. brown; complexion, fair; height, 5 feet, 8½ inches. Personal marks, 1 brownish mole, 1' d. l. cheek; vivid scar ½" long over l. eyebrow; mole l. breast ¼" d.

FORMER SERVICE.—5 yrs. Co. D, 15th Inf.; 3 yrs. Co. D and N. C. S., 15th Inf.
ADDITIONAL PAY.—\$2 per mo. for 5 yrs. cont. service.

RECORD.

Warrant as sergt. major continued upon reenlistment. Sick in hosp. Jan. 16 to Feb. 27, 1902; disease contracted in line of duty. Entitled to \$3 per mo. for 10 years' continuous service from April 1, 1903. Discharged March 31, 1904, by reason of expiration of service. Character given on discharge, Excellent. Married or single, Single. Residence of soldier, Evanston, Ill. Name and address of person to be notified in case of emergency, giving degree of relationship; if friend, so state: Mrs. Alexander Jenkins, sister, Evanston, Ill. Vaccination, date of, April 3, 1901; successful.

RECORD OF DEPOSITS.

Date of deposit.	Amount.	Paymaster.	Date of deposit.	Amount.	Paymaster.
30 June, '01	\$200 00	Maj. Simmons			
6 Oct., '01	30 00	Maj. Simmons			
5 Nov., '01	10 00	Maj. Simmons			
4 Feb., '02	25 00	Maj. Smith.			
5 June, '02	35 00	Maj. Williams			

RECORD OF FINAL STATEMENTS given to *John Smith, sergeant major, 15th Inf.* He was last paid by Paymaster *Maj. Williams*, to include the 29th day of *February, 1904*, and has pay due from that date to *March 31, 1904, inclusive.*

Due soldier.	Dolls.	Cts.	Due United States.	Dolls.	Cts.
For 10 years' continuous service—\$2 per mo.	37	00	For clothing overdrawn		
For —————			For tobacco		
For clothing not drawn in kind	59	60	For —————		
For deposits as per above record	300	00			
	396	60			

Station: *Fort Sheridan, Ill.*
 Date: *March 31, 1904.*

WILLIAM E. HARRIS
 Capt. and Adjt. 15th Inf., Comd'g N. C. S. and Band.

necessary. Non-commissioned officers whose duty it is to keep the record required by the use of this book should be impressed with the necessity of accurately and promptly entering all data therein specified.

Company Clothing and Descriptive Book.

863. While the value of this book, in time of peace, is self-evident, its headings requiring little or no explanation, it is doubly important during periods of hostility, in that it supplies all information relative to the company personnel necessary to identification in cases of disablement or death, incident to active service, and at the same time, without undue delay, the amount due the soldiers by the Government, or by them to the latter on the clothing account. It is in fact the soldier's military history, and in it should be noted every important incident associated with his service in the company or regiment, the dates of his promotion or reduction in rank (if any), of his details on detached duty, of his participation in battles or engagements, wounds (if any), trials by courts-martial, etc. (See model page.) In view of the importance of the information contained in this book when properly kept, and of the fact that long experience has taught the necessity of securing and preserving it, the details of the method set forth should be mastered while the time is available for that purpose, as a delay in the acquisition of this knowledge until the existence of an emergency exacting its use must inevitably result in confusion and the application to such study of more time than the proper performance of the then important duties involving life and property will permit.

Company and Regimental Morning-Report Book.

864. The purpose of the company and regimental morning-report book is to secure a complete history or diary of its officers and men for the whole period of their connection with the command, as well as to afford the basis for requisitions for its subsistence, and it is, therefore, of the utmost importance that it be kept accurately and intelligently. The model page attached to the fly leaf, which explains the method of entering the "remarks" on the alternate pages, so as to show the number of rations to

Company A, Limited Region

Date		Description		Amount	
1950	1-15	Balance	100.00		
1950	2-15	Payment		50.00	
1950	3-15	Payment		50.00	
1950	4-15	Payment		50.00	
1950	5-15	Payment		50.00	
1950	6-15	Payment		50.00	
1950	7-15	Payment		50.00	
1950	8-15	Payment		50.00	
1950	9-15	Payment		50.00	
1950	10-15	Payment		50.00	
1950	11-15	Payment		50.00	
1950	12-15	Payment		50.00	
1951	1-15	Payment		50.00	
1951	2-15	Payment		50.00	
1951	3-15	Payment		50.00	
1951	4-15	Payment		50.00	
1951	5-15	Payment		50.00	
1951	6-15	Payment		50.00	
1951	7-15	Payment		50.00	
1951	8-15	Payment		50.00	
1951	9-15	Payment		50.00	
1951	10-15	Payment		50.00	
1951	11-15	Payment		50.00	
1951	12-15	Payment		50.00	
1952	1-15	Payment		50.00	
1952	2-15	Payment		50.00	
1952	3-15	Payment		50.00	
1952	4-15	Payment		50.00	
1952	5-15	Payment		50.00	
1952	6-15	Payment		50.00	
1952	7-15	Payment		50.00	
1952	8-15	Payment		50.00	
1952	9-15	Payment		50.00	
1952	10-15	Payment		50.00	
1952	11-15	Payment		50.00	
1952	12-15	Payment		50.00	
1953	1-15	Payment		50.00	
1953	2-15	Payment		50.00	
1953	3-15	Payment		50.00	
1953	4-15	Payment		50.00	
1953	5-15	Payment		50.00	
1953	6-15	Payment		50.00	
1953	7-15	Payment		50.00	
1953	8-15	Payment		50.00	
1953	9-15	Payment		50.00	
1953	10-15	Payment		50.00	
1953	11-15	Payment		50.00	
1953	12-15	Payment		50.00	
1954	1-15	Payment		50.00	
1954	2-15	Payment		50.00	
1954	3-15	Payment		50.00	
1954	4-15	Payment		50.00	
1954	5-15	Payment		50.00	
1954	6-15	Payment		50.00	
1954	7-15	Payment		50.00	
1954	8-15	Payment		50.00	
1954	9-15	Payment		50.00	
1954	10-15	Payment		50.00	
1954	11-15	Payment		50.00	
1954	12-15	Payment		50.00	
1955	1-15	Payment		50.00	
1955	2-15	Payment		50.00	
1955	3-15	Payment		50.00	
1955	4-15	Payment		50.00	
1955	5-15	Payment		50.00	
1955	6-15	Payment		50.00	
1955	7-15	Payment		50.00	
1955	8-15	Payment		50.00	
1955	9-15	Payment		50.00	
1955	10-15	Payment		50.00	
1955	11-15	Payment		50.00	
1955	12-15	Payment		50.00	

1. Introduction

The purpose of this study is to investigate the effects of a new educational program on student performance. The program is designed to improve students' understanding of complex concepts through interactive learning methods.

2. Methodology

The study was conducted using a quasi-experimental design. The participants were divided into two groups: an experimental group that received the new program and a control group that received traditional instruction.

Data was collected through standardized tests and surveys. The results were analyzed using statistical methods to compare the performance of the two groups. The experimental group showed significantly higher scores on the tests compared to the control group, indicating that the new program was effective in improving student performance.

The findings suggest that the new program is a promising approach for enhancing student learning. Further research is needed to explore the long-term effects of the program and to identify the most effective components of the program.

In conclusion, the study demonstrates that the new educational program has a positive impact on student performance. This suggests that interactive learning methods can be an effective way to teach complex concepts.

The results of this study have important implications for educators and policymakers. They suggest that investing in the development and implementation of new educational programs can lead to improved student outcomes.

Overall, the study provides strong evidence for the effectiveness of the new program. It highlights the importance of using innovative teaching methods to improve student learning and performance.

The study also identifies some limitations and areas for future research. For example, the study was limited to a specific subject area and a short period of time. Future research should explore the program's effectiveness in other subjects and over a longer period.

In addition, the study would benefit from a larger sample size and more diverse participants. This would help to generalize the findings to a wider range of students and educational settings.

Finally, the study would benefit from more detailed data on the program's implementation and the students' experiences. This would provide valuable insights into the program's effectiveness and the factors that influence student learning.

In summary, the study provides a comprehensive overview of the new educational program's impact on student performance. The findings are encouraging and suggest that the program is a valuable tool for improving student learning and achievement.

which the command is entitled, should be carefully read and thoroughly understood. The captions of the column rulings are self-explanatory so far as indicating their purpose. For detailed information it is to be noted, that men on special duty are such officers and men as are present with the command, who have been placed temporarily on a duty which prevents their detail for guard or the performance of their ordinary duty with the company; that is to say, an officer detailed as judge-advocate of a court, but not when recorder of a board, or as adjutant, commissary, or quartermaster, or a sergeant or other non-commissioned officer as acting first sergeant, or of a private, as company clerk, or detailed for duty in the adjutant's or other office. Ordinarily, men will not be carried on special duty unless detailed in written orders. Men on "extra duty" are distinguished from those on "special duty" merely in that they receive the extra pay allowed by law for whatever special service they are performing, such as carpenters, painters, laborers, clerks, etc. The column of "Daily duty" is fully embodied in the two preceding columns and need not be filled out (the term is obsolete in the Army). "Present sick" are those officers and enlisted men who have been declared sick by the surgeon, and are present with the company, either in quarters or in hospital; and "In arrest" or "Confinement," those officers and men who are present with the company but in arrest, or confined in the guard house, or possibly in the hospital. "Absent on detached service" are those who are on duty in a different place or station from the one at which the command is serving, or men who have been detailed on a duty which takes them away from the command for more than twenty-four hours. "Absent with leave" are those who have received permission from proper authority to be absent; officers on leave of absence enlisted men on furlough or pass, provided their passes extend beyond the time at which the report is to be rendered, and "Absent without leave," such men of the last enumerated classes as are absent without authority or have overstayed their pass. "Absent sick" are those who are officially known to the commanding officer to be sick, but are not with the company. "Absent in arrest and in confinement" or "Retained by civil authority" are those who have been placed in arrest or confined and are not present with the company. The column for "Present and absent," of course, includes the totals of the preceding columns

under these heads. "Explanations of alterations since last report" are self-explanatory; the first sergeant and company commander must personally sign the book every morning; facsimiles are prohibited, and no officer or non-commissioned officer is permitted to sign for another.

Company-Council Book.

865. The company-council book is used to record the proceedings of the company council, which body is composed of the captain and lieutenants and assembles periodically for the purpose of auditing the company funds, to ascertain and examine the sources from which and the methods by which they have accrued, and to recommend expenditures therefrom. The company fund is the accumulation of moneys that may come into the hands of the company, such as savings on the flour ration, profits of the post exchange or of a company pool table or recreation room, proceeds of entertainments, etc., and must be disbursed solely for the benefit of the company. Articles of food not furnished by the Government, such as milk, eggs, butter, cheese, fruit, berries, poultry, ice cream, or any similar delicacies that would be needed for an occasional extra dinner on holidays, etc., subscriptions to newspapers and magazines, pay of a head cook, are proper charges against the company fund. Although these moneys are not strictly "public funds," officers having their custody are held to a strict accountability, and must be able to show their proper disposition when called upon by an inspector; for which reason it is essential that every proceeding be properly recorded, and that the books should show at all times the condition of the fund. The accompanying model page exemplifies the method of keeping the accounts of the company fund, as well as the proceedings of the council. Of course the same rule applies to the regimental fund.

When in the Field.

866. Too great emphasis can not be given to the necessity of keeping a record of every letter, telegram, dispatch, order, or memorandum, of whatever character, received or sent during active operations in the field on campaign. To this end all officers performing the duties of adjutant, assistant adjutant

general, and aid-de-camp should procure and carry at all times notebooks of suitable size to be carried conveniently in the pocket. Such notebooks can be procured from any stationer, arranged with alternate sheets of carbon, so that two or more impressions can be made of all communications sent or orders or instructions received from the commanding officer. Similar notebooks should be carried by sergeant majors, first sergeants, and orderlies. These notebooks, when filled with the duplicate copies, together with communications received, should be sent back to headquarters as frequently as opportunity presents itself, in order that their contents may be properly recorded. The compact and durable manner in which typewriting machines are now made and packed for carrying, renders it practicable for at least one to be carried by each regimental headquarters.

Another indispensable requisite to the successful progress of a campaign is the prompt rendition of reports and returns. First sergeants, company clerks, sergeant majors, and regimental, brigade and division clerks, should be thoroughly instructed at National Guard armories in the correct method of filling out such blank forms as morning reports, regimental returns and muster rolls, brigade and division returns. Before entering upon a campaign, care should be taken to have a sufficient supply of all needed blank forms, but the clerks should previously be made so familiar with the forms that in the event that no blanks are to be had in an emergency, they will be able to rule them on blank sheets of wrapping paper, or any other available material.

It is a requirement of regulations (Troops in Campaign, 267) that within ten days after the close of every engagement or affair, the commanding officer of each regiment, separate battalion and light battery concerned will prepare and forward to the next superior headquarters a concise report of the part taken therein by his command, including the effective strength of the same, and the losses incurred, under the separate headings of "Killed," "Wounded," and "Missing," and a duplicate of this report is required to be forwarded direct to The Military Secretary of the Army; brigade commanders, within ten days after the receipt of the reports of the organizations composing them, division commanders, within twenty days, and corps commanders, within thirty days thereafter, are required to prepare and forward similar reports to the next superior headquarters. These are to be

accompanied by appendices containing consolidated reports of the effective strength and casualties of the several commands, of the losses of property incurred, and a nominal list of the officers attached to their respective staffs; and duplicates of these reports are required to be forwarded direct to The Military Secretary of the Army.

The importance of these last mentioned requirements can not be overestimated. The necessity that commanding generals shall be advised as to the strength, efficiency, and availability of the various units of their command; that the importance of a victory or defeat may be estimated; that the anxiety of relatives and friends as to the fate of officers and men engaged may be relieved; that not infrequently the promotion or reward of an officer or soldier may depend upon his conduct in action; are among the many reasons why a neglect to render promptly the reports of this character are military offenses, inexcusable, and frequently irreparable.

ARTICLES OF WAR.

SECTION 1342, Revised Statutes. The armies of the United States shall be governed by the following rules and articles. The word officer, as used therein, shall be understood to designate commissioned officers; the word soldier shall be understood to include non-commissioned officers, musicians, artificers, and privates, and other enlisted men, and the convictions mentioned therein shall be understood to be convictions by court-martial.

ARTICLE 1. Every officer now in the Army of the United States shall, within six months from the passing of this Act, and every officer hereafter appointed shall, before he enters upon the duties of his office, subscribe these rules and articles.

ART. 2. These rules and articles shall be read to every enlisted man at the time of, or within six days after, his enlistment, and he shall thereupon take an oath or affirmation, in the following form: "I, A B, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war." This oath may be taken before any commissioned officer of the Army.

ART. 3. Every officer who knowingly enlists or musters into the military service any minor over the age of 16 years without the written consent of his parents or guardians, or any minor under the age of 16 years, or any insane or intoxicated persons, or any deserter from the military or naval service of the United States, or any person who has been convicted of any infamous criminal offense, shall, upon conviction, be dismissed from the service, or suffer such other punishment as a court-martial may direct.

ART. 4. No enlisted man, duly sworn, shall be discharged from the service without a discharge in writing, signed by a field officer of the regiment to which he belongs, or by the commanding

officer, when no field officer is present; and no discharge shall be given to any enlisted man before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

ART. 5. Any officer who knowingly musters as a soldier a person who is not a soldier, shall be deemed guilty of knowingly making a false muster, and punished accordingly.

ART. 6. Any officer who takes money, or other thing, by way of gratification, on mustering any regiment, troop, battery, or company, or on signing muster rolls, shall be dismissed from the service, and shall thereby be disabled to hold any office or employment in the service of the United States.

ART. 7. Every officer commanding a regiment, an independent troop, battery, or company, or a garrison, shall, in the beginning of every month, transmit through the proper channels, to the Department of War, an exact return of the same, specifying the names of the officers then absent from their posts, with the reasons for and the time of their absence. And any officer who, through neglect or design, omits to send such returns, shall, on conviction thereof, be punished as a court-martial may direct.

ART. 8. Every officer who knowingly makes a false return to the Department of War, or to any of his superior officers, authorized to call for such returns, of the state of the regiment, troop, or company, or garrison under his command; or of the arms, ammunition, clothing or other stores thereunto belonging, shall, on conviction thereof, before a court-martial, be cashiered.

ART. 9. All public stores taken from the enemy shall be secured for the service of the United States; and for neglect thereof the commanding officer shall be answerable.

ART. 10. Every officer commanding a troop, battery, or company is charged with the arms, accouterments, ammunition, clothing, or other military stores belonging to his command, and is accountable to his colonel in case of their being lost, spoiled, or damaged otherwise than by unavoidable accident, or on actual service.

ART. 11. Every officer commanding a regiment or an independent troop, battery, or company, not in the field, may, when

actually quartered with such command, grant furloughs to the enlisted men, in such numbers and for such time as he shall deem consistent with the good of the service. Every officer commanding a regiment, or an independent troop, battery, or company, in the field, may grant furloughs not exceeding thirty days at one time, to five per centum of the enlisted men, for good conduct in the line of duty, but subject to the approval of the commander of the forces of which said enlisted men form a part. Every company officer of a regiment, commanding any troop, battery, or company not in the field, or commanding in any garrison, fort, post, or barracks, may, in the absence of his field-officer, grant furloughs to the enlisted men, for a time not exceeding twenty days in six months, and not to more than two persons to be absent at the same time.

ART. 12. At every muster of a regiment, troop, battery, or company, the commanding officer thereof shall give to the mustering officer certificates, signed by himself, stating how long absent officers have been absent, and the reasons of their absence. And the commanding officer of every troop, battery, or company shall give like certificates, stating how long absent non-commissioned officers and private soldiers have been absent and the reasons of their absence. Such reasons and time of absence shall be inserted in the muster-rolls opposite the names of the respective absent officers and soldiers, and the certificates, together with the muster-rolls, shall be transmitted by the mustering officer to the Department of War, as speedily as the distance of the place and muster will admit.

ART. 13. Every officer who signs a false certificate, relating to the absence or pay of an officer or soldier, shall be dismissed from the service.

ART. 14. Any officer who knowingly makes a false muster of man or horse, or who signs, or directs, or allows the signing of any muster-roll, knowing the same to contain a false muster, shall, upon proof thereof by two witnesses, before a court-martial, be dismissed from the service, and shall thereby be disabled to hold any office or employment in the service of the United States.

ART. 15. Any officer who, willfully or through neglect, suffers to be lost, spoiled, or damaged, any military stores belonging to

the United States, shall make good the loss or damage, and be dismissed from the service.

ART. 16. Any enlisted man who sells, or willfully or through neglect wastes, the ammunition delivered out to him, shall be punished as a court-martial may direct.

ART. 17. Any soldier who sells or through neglect loses or spoils his horse, arms, clothing, or accouterments shall be punished as a court-martial may adjudge, subject to such limitation as may be prescribed by the President by virtue of the power vested in him. [Act approved July 27, 1892.]

ART. 18. Any officer commanding in any garrison, fort, or barracks of the United States who, for his private advantage, lays any duty or imposition upon, or is interested in, the sale of any victuals, liquors, or other necessaries of life, brought into such garrison, fort, or barracks, for the use of the soldiers, shall be dismissed from the service.

ART. 19. Any officer who uses contemptuous or disrespectful words against the President, the Vice-President, the Congress of the United States, or the chief magistrate or legislature of any of the United States in which he is quartered, shall be dismissed from the service, or otherwise punished, as a court-martial may direct. Any soldier who so offends shall be punished as a court-martial may direct.

ART. 20. Any officer or soldier who behaves himself with disrespect towards his commanding officer shall be punished as a court-martial may direct.

ART. 21. Any officer or soldier who, on any pretense whatsoever, strikes his superior officer, or draws or lifts up any weapon, or offers any violence against him, being in the execution of his office, or disobeys any lawful command of his superior officer, shall suffer death, or such other punishment as a court-martial may direct.

ART. 22. Any officer or soldier who begins, excites, causes, or joins in any mutiny, or sedition, in any troop, battery, company, party, post, detachment, or guard, shall suffer death, or such other punishment as a court-martial may direct.

ART. 23. Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress

the same, or having knowledge of any intended mutiny or sedition, does not, without delay, give information thereof to his commanding officer, shall suffer death, or such other punishment as a court-martial may direct.

ART. 24. All officers, of what condition soever, have power to part and quell all quarrels, frays, and disorders, whether among persons belonging to his own or to another corps, regiment, troop, battery, or company, and to order officers into arrest, and non-commissioned officers and soldiers into confinement, who take part in the same, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer or non-commissioned officer, or draws a weapon upon him, shall be punished as a court-martial may direct.

ART. 25. No officer or soldier shall use any reproachful or provoking speeches or gestures to another. Any officer who so offends shall be put in arrest. Any soldier who so offends shall be confined, and required to ask pardon of the party offended, in the presence of his commanding officer.

ART. 26. No officer or soldier shall send a challenge to another officer or soldier to fight a duel, or accept a challenge so sent. Any officer who so offends shall be dismissed from the service. Any soldier who so offends shall suffer such punishment as a court-martial may direct.

ART. 27. Any officer or non-commissioned officer, commanding a guard, who, knowingly and willingly, suffers any person to go forth to fight a duel, shall be punished as a challenger; and all seconds or promoters of duels, and carriers of challenges to fight duels, shall be deemed principals, and punished accordingly. It shall be the duty of any officer commanding an army, regiment, troop, battery, company, post, or detachment, who knows, or has reason to believe, that a challenge has been given or accepted by any officer or enlisted man under his command, immediately to arrest the offender, and bring him to trial.

ART. 28. Any officer or soldier who upbraids another officer or soldier for refusing a challenge shall himself be punished as a challenger; and all officers and soldiers are hereby discharged from any disgrace or opinion of disadvantage which might arise from their having refused to accept challenges, as they will only

have acted in obedience to the law, and have done their duty as good soldiers, who subject themselves to discipline.

ART. 29. Any officer who thinks himself wronged by the commanding officer of his regiment, and, upon due application to such commander, is refused redress, may complain to the general commanding in the State or Territory where such regiment is stationed. The general shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the Department of War a true statement of such complaint, with the proceedings had thereon.

ART. 30. Any soldier who thinks himself wronged by any officer may complain to the commanding officer of his regiment, who shall summon a regimental court-martial for the doing of justice to the complainant. Either party may appeal from such regimental court-martial to a general court-martial; but if, upon such second hearing, the appeal appears to be groundless and vexatious, the party appealing shall be punished at the discretion of said general court-martial.

ART. 31. Any officer or soldier who lies out of his quarters, garrison, or camp, without leave from his superior officer, shall be punished as a court-martial may direct.

ART. 32. Any soldier who absents himself from his troop, battery, company, or detachment, without leave from his commanding officer, shall be punished as a court-martial may direct.

ART. 33. Any officer or soldier who fails, except when prevented by sickness or other necessity, to repair, at the fixed time, to the place of parade, exercise, or other rendezvous appointed by his commanding officer, or goes from the same, without leave from his commanding officer, before he is dismissed or relieved, shall be punished as a court-martial may direct.

ART. 34. Any soldier who is found one mile from camp, without leave in writing from his commanding officer, shall be punished as a court-martial may direct.

ART. 35. Any soldier who fails to retire to his quarters or tent at the beating of retreat, shall be punished according to the nature of his offense.

ART. 36. No soldier belonging to any regiment, troop, battery, or company, shall hire another to do his duty for him, or be excused from duty, except in cases of sickness, disability, or leave of absence. Every such soldier found guilty of hiring his duty, and the person so hired to do another's duty, shall be punished as a court-martial may direct.

ART. 37. Every non-commissioned officer who connives at such hiring of duty shall be reduced. Every officer who knows and allows such practices shall be punished as a court-martial may direct.

ART. 38. Any officer who is found drunk on his guard, party, or other duty, shall be dismissed from the service. Any soldier who so offends shall suffer such [*corporal*] punishment as a court-martial may direct. [No court-martial shall sentence any soldier to be branded, marked, or tattooed.]

ART. 39. Any sentinel who is found sleeping upon his post, or who leaves it before he is regularly relieved, shall suffer death, or such other punishment as a court-martial may direct.

ART. 40. Any officer or soldier who quits his guard, platoon, or division, without leave from his superior officer, except in a case of urgent necessity, shall be punished as a court-martial may direct.

ART. 41. Any officer who, by any means whatsoever, occasions false alarms in camp, garrison, or quarters, shall suffer death, or such other punishment as a court-martial may direct.

ART. 42. Any officer or soldier who misbehaves himself before the enemy, runs away, or shamefully abandons any fort, post or guard, which he is commanded to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, shall suffer death, or such other punishment as a court-martial may direct.

ART. 43. If any commander of any garrison, fortress, or post is compelled by the officers and soldiers under his command to give up to the enemy or to abandon it, the officers or soldiers so offending shall suffer death, or such other punishment as a court-martial may direct.

ART. 44. Any person belonging to the armies of the United States who makes known the watchword to any person not entitled to receive it, according to the rules and discipline of war, or presumes to give a parole or watchword different from that which he received, shall suffer death, or such other punishment as a court-martial may direct.

ART. 45. Whosoever relieves the enemy with money, victuals, or ammunition, or knowingly harbors or protects an enemy, shall suffer death, or such other punishment as a court-martial may direct.

ART. 46. Whosoever holds correspondence with, or gives intelligence to, the enemy, either directly or indirectly, shall suffer death, or such other punishment as a court-martial may direct.

ART. 47. Any officer or soldier who, having received pay, or having been duly enlisted in the service of the United States, deserts the same, shall, in time of war, suffer death, or such other punishment as a court-martial may direct; and in time of peace, any punishment, excepting death, which a court-martial may direct.

ART. 48. Every soldier who deserts the service of the United States shall be liable to serve for such period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall be tried by a court-martial and punished, although the term of his enlistment may have elapsed previous to his being apprehended and tried.

ART. 49. Any officer who, having tendered his resignation, quits his post or proper duties, without leave, and with intent to remain permanently absent therefrom, prior to due notice of the acceptance of the same, shall be deemed and punished as a deserter.

ART. 50. No non-commissioned officer or soldier shall enlist himself in any other regiment, troop, or company, without a regular discharge from the regiment, troop, or company in which he last served, on a penalty of being reputed a deserter, and suffering accordingly. And in case any officer shall knowingly receive and entertain such non-commissioned officer or soldier, or shall not, after his being discovered to be a deserter, immediately con-

fine him and give notice thereof to the corps in which he last served, the said officer shall, by a court-martial, be cashiered.

ART. 51. Any officer or soldier who advises or persuades any other officer or soldier to desert the service of the United States, shall, in time of war, suffer death, or such other punishment as a court-martial may direct; and in time of peace, any punishment, excepting death, which a court-martial may direct.

ART. 52. It is earnestly recommended to all officers and soldiers diligently to attend divine service. Any officer who behaves indecently or irreverently at any place of divine worship shall be brought before a general court-martial, there to be publicly and severely reprimanded by the President thereof. Any soldier who so offends shall, for his first offense, forfeit one sixth of a dollar; for each further offense he shall forfeit a like sum, and shall be confined twenty-four hours. The money so forfeited shall be deducted from his next pay, and shall be applied by the captain or senior officer of his troop, battery, or company, to the use of the sick soldiers of the same.

ART. 53. Any officer who uses any profane oath or execration shall, for each offense, forfeit and pay one dollar. Any soldier who so offends shall incur the penalties provided in the preceding article; and all moneys forfeited for such offenses shall be applied as therein provided.

ART. 54. Every officer commanding in quarters, garrison, or on the march, shall keep good order, and, to the utmost of his power, redress all abuses or disorders which may be committed by any officer or soldier under his command; and if, upon complaint made to him of officers or soldiers beating or otherwise ill-treating any person, disturbing fairs or markets, or committing any kind of riot, to the disquieting of the citizens of the United States, he refuses or omits to see justice done to the offender, and reparation made to the party injured, so far as part of the offender's pay shall go toward such reparation, he shall be dismissed from the service, or otherwise punished as a court-martial may direct.

ART. 55. All officers and soldiers are to behave themselves orderly in quarters and on the march; and whoever commits any waste or spoil, either in walks or trees, parks, warrens, fish-ponds,

houses, gardens, grainfields, inclosures, or meadows, or maliciously destroys any property whatsoever belonging to inhabitants of the United States (unless by order of a general officer commanding a separate army in the field) shall, besides such penalties as he may be liable to by law, be punished as a court-martial may direct.

ART. 56. Any officer or soldier who does violence to any person bringing provisions or other necessities to the camp, garrison, or quarters of the forces of the United States in foreign parts, shall suffer death, or such other punishment as a court-martial may direct.

ART. 57. Whosoever, belonging to the armies of the United States in foreign parts, or at any place within the United States or their Territories, during rebellion against the supreme authority of the United States, forces a safeguard, shall suffer death.

ART. 58. In time of war, insurrection, or rebellion, larceny, robbery, burglary, arson, mayhem, manslaughter, murder, assault and battery with an intent to kill, wounding, by shooting or stabbing, with an intent to commit murder, rape, or assault and battery with an intent to commit rape, shall be punishable by the sentence of a general court-martial, when committed by persons in the military service of the United States, and the punishment in any such case shall not be less than the punishment provided, for the like offense, by the laws of the State, Territory, or district in which such offense may have been committed.

ART. 59. When any officer or soldier is accused of a capital crime, or of any offense against the person or property of any citizen of any of the United States, which is punishable by the laws of the land, the commanding officer, and the officers of the regiment, troop, battery, company, or detachment, to which the person so accused belongs, are required, except in time of war, upon application duly made by or in behalf of the party injured, to use their utmost endeavors to deliver him over to the civil magistrate, and to aid the officers of justice in apprehending and securing him, in order to bring him to trial. If, upon such application, any officer refuses or willfully neglects, except in time of war, to deliver over such accused person to the civil magistrates, or to aid the officers of justice in apprehending him, he shall be dismissed from the service.

Who, as any person in the military service of the United States who makes or causes to be made any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

Who enters into any agreement or conspiracy to defraud the United States by obtaining or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

Who, for the purpose of obtaining or aiding others to obtain, the approval, allowance or payment of any claim against the United States or against any officer thereof, makes or uses, or procures or advises the making or use of, any writing, or other paper, knowing the same to contain any false or fraudulent statement; or

Who, for the purpose of obtaining or aiding others to obtain, the approval, allowance or payment of any claim against the United States or any officer thereof, makes, or procures or advises the making of any bill, or any fact or to any writing or other paper, knowing such bill to be false; or

Who, for the purpose of obtaining or aiding others to obtain, the approval, allowance or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures or advises the forging or counterfeiting of, any signature upon any writing or other paper, or uses, or procures or advises the use of any such signature, knowing the same to be forged or counterfeited; or

Who, having charge, possession, custody, or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof, less than that for which he receives a certificate or receipt; or

Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States, furnished or intended for the military service thereof, makes, or delivers to any person, such writing, without having full knowledge of the

truth of the statements therein contained, and with intent to defraud the United States; or

Who steals, embezzles, knowingly and willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money or other property of the United States, furnished or intended for the military service thereof; or

Who knowingly purchases, or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipments, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer or other person not having lawful right to sell or pledge the same,

Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge. And if any person, being guilty of any of the offenses aforesaid, while in the military service of the United States, receives his discharge, or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial, in the same manner and to the same extent as if he had not received such discharge nor been dismissed.

ART. 61. Any officer who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

*ART. 62. All crimes not capital, and all disorders and neglects, which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the foregoing articles of war, are to be taken cognizance of by a general, or a regimental, garrison, or field officers' court martial, according to the nature and degree of the offense, and punished at the discretion of such court.

ART. 63. All retainers to the camp, and all persons serving with the armies of the United States in the field, though not en-

*SEC. 3. That fraudulent enlistment, and the receipt of any pay or allowance thereunder, is hereby declared a military offense and made punishable by court-martial, under the Sixty-second Article of War. [Act approved July 27, 1892.]

listed soldiers, are to be subject to orders, according to the rules and discipline of war.

ART. 64. The officers and soldiers of any troops, whether militia or others, mustered and in pay of the United States, shall, at all times and in all places, be governed by the articles of war, and shall be subject to be tried by courts-martial.

ART. 65. Officers charged with crime shall be arrested and confined in their barracks, quarters, or tents, and deprived of their swords by the commanding officer. And any officer who leaves his confinement before he is set at liberty by his commanding officer shall be dismissed from the service.

ART. 66. Soldiers charged with crimes shall be confined until tried by court-martial, or released by proper authority.

ART. 67. No provost marshal, or officer commanding a guard, shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States; provided the officer committing shall, at the same time, deliver an account in writing, signed by himself, of the crime charged against the prisoner.

ART. 68. Every officer to whose charge a prisoner is committed shall, within twenty-four hours after such commitment, or as soon as he is relieved from his guard, report in writing, to the commanding officer, the name of such prisoner, the crime charged against him, and the name of the officer committing him; and, if he fails to make such report, he shall be punished as a court-martial may direct.

ART. 69. Any officer who presumes, without proper authority, to release any prisoner committed to his charge, or suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

ART. 70. No officer or soldier put in arrest shall be continued in confinement more than eight days, or until such time as a court-martial can be assembled.

ART. 71. When an officer is put in arrest for the purpose of trial, except at remote military posts or stations, the officer by whose order he is arrested shall see that a copy of the charges on which he is to be tried is served upon him within eight days after

his arrest, and that he is brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he shall be brought to trial within thirty days after the expiration of said ten days. If a copy of the charges be not served, or the arrested officer be not brought to trial, as herein required, the arrest shall cease. But officers released from arrest, under the provisions of this article, may be tried, whenever the exigencies of the service shall permit, within twelve months after such release from arrest.

ART. 72. Any general officer commanding an army, a territorial division or a department, or colonel commanding a separate department, may appoint a general court-martial whenever necessary. But when any such commander is the accuser or prosecutor of any officer under his command the court shall be appointed by the President; and its proceedings and sentence shall be sent directly to the Secretary of War, by whom they shall be laid before the President, for his approval or orders in the case. [Act approved July 5, 1884.]

ART. 73. In time of war the commander of a division, or of a separate brigade of troops, shall be competent to appoint a general court-martial. But when such commander is the accuser or prosecutor of any person under his command, the court shall be appointed by the next higher commander.

ART. 74. Officers who may appoint a court-martial shall be competent to appoint a judge-advocate for the same.

ART. 75. General courts-martial may consist of any number of officers from five to thirteen, inclusive; but they shall not consist of less than thirteen when that number can be convened without manifest injury to the service.

ART. 76. When the requisite number of officers to form a general court-martial is not present in any post or detachment, the commanding officer shall, in cases which require the cognizance of such a court, report to the commanding officer of the department, who shall, thereupon, order a court to be assembled at the nearest post or department at which there may be such a requisite number of officers, and shall order the party accused, with necessary witnesses, to be transported to the place where the said court shall be assembled.

ART. 77. Officers of the Regular Army shall not be competent to sit on courts-martial to try the officers or soldiers of other forces, except as provided in Article 78.

ART. 78. Officers of the Marine Corps, detached for service with the Army by order of the President, may be associated with officers of the Regular Army on courts-martial for the trial of offenders belonging to the Regular Army, or to forces of the Marine Corps so detached; and in such cases the orders of the senior officer of either corps, who may be present and duly authorized, shall be obeyed.

ART. 79. Officers shall be tried only by general courts-martial; and no officer shall, when it can be avoided, be tried by officers inferior to him in rank.

ART. 80. In time of war a field officer may be detailed in every regiment, to try soldiers thereof for offenses not capital; and no soldier, serving with his regiment, shall be tried by a regimental or garrison court-martial when a field officer of his regiment may be so detailed.

ART. 81. Every officer commanding a regiment or corps shall, subject to the provisions of Article 80, be competent to appoint, for his own regiment or corps, courts-martial, consisting of three officers, to try offenses not capital.

ART. 82. Every officer commanding a garrison, fort, or other place, where the troops consist of different corps, shall, subject to the provisions of Article 80, be competent to appoint, for such garrison or other place, courts-martial, consisting of three officers, to try offenses not capital.

ART. 83. Regimental and garrison courts-martial, and field officers detailed to try offenders, shall not have power to try capital cases or commissioned officers, or to inflict a fine exceeding one month's pay or to imprison or put to hard labor any non-commissioned officer or soldier for a longer time than one month.

ART. 84. The judge-advocate shall administer to each member of the court, before they proceed upon any trial, the following oath, which shall also be taken by all members of regimental and garrison courts-martial: "You, A B, do swear that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of America and the prisoner

to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the United States, and if any doubts should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear that you will not divulge the sentence of the court until it shall be published by the proper authority, except to the judge-advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law. So help you God." [Act approved July 27, 1892.]

ART. 85. When the oath has been administered to the members of a court-martial, the president of the court shall administer to the judge-advocate, or person officiating as such, an oath in the following form: "You, A B, do swear that you will not disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in due course of law; nor divulge the sentence of the court to any but the proper authority, until it shall be duly disclosed by the same. So help you God."

ART. 86. The court-martial may punish, at discretion, any person who uses any menacing words, signs, or gestures, in its presence, or who disturbs its proceedings by any riot or disorder.

ART. 87. All members of a court-martial are to behave with decency and calmness.

ART. 88. Members of a court-martial may be challenged by a prisoner, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time.

ART. 89. When a prisoner, arraigned before a general court-martial, from obstinacy and deliberate design, stands mute or answers foreign to the purpose, the court may proceed to trial and judgment, as if the prisoner had pleaded not guilty.

ART. 90. The judge-advocate, or some person deputed by him, or by the general or officer commanding the Army, detachment, or garrison, shall prosecute in the name of the United States, but when the prisoner has made his plea, he shall so far consider

himself counsel for the prisoner as to object to any leading question to any of the witnesses, and to any question to the prisoner, the answer to which might tend to criminate himself.

*ART. 91. The deposition of witnesses residing beyond the limits of the State, Territory, or district in which any military court may be ordered to sit, if taken on reasonable notice to the opposite party and duly authenticated, may be read in evidence before such court in cases not capital.

ART. 92. All persons who give evidence before a court-martial shall be examined on oath, or affirmation, in the following form: "You swear (or affirm) that the evidence you shall give, in the case now in hearing, shall be the truth, the whole truth, and nothing but the truth. So help you God."

ART. 93. A court-martial shall, for reasonable cause, grant a continuance to either party, for such time, and as often as may appear to be just; *provided*, that if the prisoner be in close confinement, the trial shall not be delayed for a period longer than sixty days.

ART. 94. Proceedings of trials shall be carried on only between the hours of eight in the morning and three in the afternoon, excepting in cases which, in the opinion of the officer appointing the court, require immediate example.

ART. 95. Members of a court-martial, in giving their votes, shall begin with the youngest in commission.

ART. 96. No person shall be sentenced to suffer death, except by the concurrence of two-thirds of the members of a general court-martial, and in the cases herein expressly mentioned.

ART. 97. No person in the military service shall, under the sentence of a court-martial, be punished by confinement in a penitentiary, unless the offense of which he may be convicted would, by some statute of the United States, or by some statute of the State, Territory, or District in which such offense may be committed, or by the common law, as the same exists in such State, Territory, or District, subject such convict to such punishment.

*SEC. 4. That judge-advocates of departments and of courts-martial, and the trial officers of summary courts, are hereby authorized to administer oaths for the purposes of the administration of military justice, and for other purposes of military administration. [Act approved July 27, 1892.]

ART. 98. No person in the military service shall be punished by flogging, or by branding, marking, or tattooing on the body.

ART. 99. No officer shall be discharged or dismissed from the service, except by order of the President, or by sentence of a general court-martial; and in time of peace no officer shall be dismissed, except in pursuance of the sentence of a court-martial, or in mitigation thereof.

ART. 100. When an officer is dismissed from the service for cowardice or fraud, the sentence shall further direct that the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp, and in the State from which the offender came, or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

ART. 101. When a court-martial suspends an officer from command, it may also suspend his pay and emoluments for the same time, according to the nature of his offense.

ART. 102. No person shall be tried a second time for the same offense.

ART. 103. No person shall be liable to be tried and punished by a general court-martial for any offense which appears to have been committed more than two years before the issuing of the order for such trial, unless, by reason of having absented himself, or of some other manifest impediment, he shall not have been amenable to justice within that period.

No person shall be tried or punished by a court-martial for desertion in time of peace and not in the face of an enemy, committed more than two years before the arraignment of such person for such offense, unless he shall meanwhile have absented himself from the United States, in which case the time of his absence shall be excluded in computing the period of the limitation; *provided*, that said limitation shall not begin until the end of the term for which said person was mustered into the service. [Act approved April 11, 1890.]

ART. 104. No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer ordering the court, or by the officer commanding for the time being. [Act approved July 27, 1892.]

ART. 105. No sentence of a court-martial, inflicting the punishment of death, shall be carried into execution until it shall have been confirmed by the President; except in the cases of persons convicted in time of war, as spies, mutineers, deserters, or murderers, and in the cases of guerrilla marauders, convicted in time of war, of robbery, burglary, arson, rape, assault with intent to commit rape, or of violation of the laws and customs of war; and in such excepted cases the sentence of death may be carried into execution upon confirmation by the commanding general in the field, or the commander of the department, as the case may be.

ART. 106. In time of peace no sentence of a court-martial, directing the dismissal of an officer, shall be carried into execution until it shall have been confirmed by the President.

ART. 107. No sentence of a court-martial appointed by the commander of a division or of a separate brigade of troops, directing the dismissal of an officer, shall be carried into execution until it shall have been confirmed by the general commanding the army in the field to which the division or brigade belongs.

ART. 108. No sentence of a court-martial, either in time of peace or in time of war, respecting a general officer, shall be carried into execution until it shall have been confirmed by the President.

ART. 109. All sentences of a court-martial may be confirmed and carried into execution by the officer ordering the court, or by the officer commanding for the time being, where confirmation by the President, or by the commanding general in the field, or commander of the department, is not required by the articles.

ART. 110. No sentence adjudged by a field officer, detailed to try soldiers of his regiment, shall be carried into execution until the same shall have been approved by the brigade commander, or in case there be no brigade commander, by the commanding officer of the post or camp. [Act approved July 27, 1892.]

ART. 111. Any officer who has authority to carry into execution the sentence of death, or of dismissal of an officer, may suspend the same until the pleasure of the President shall be known; in such case, he shall immediately transmit to the President a copy of the order of suspension, together with a copy of the proceedings of the court.

ART. 112. Every officer who is authorized to order a general court-martial shall have power to pardon or mitigate any punishment adjudged by it, except the punishment of death or of dismissal of an officer. Every officer commanding a regiment or garrison in which a regimental or garrison court-martial may be held, shall have power to pardon or mitigate any punishment which such court may adjudge.

ART. 113. Every judge-advocate, or person acting as such, at any general court-martial, shall, with as much expedition as the opportunity of time and distance of place may admit, forward the original proceedings and sentence of such court to the Judge-Advocate General of the Army, in whose office they shall be carefully preserved.

ART. 114. Every party tried by a general court-martial shall, upon demand thereof, made by himself or by any person in his behalf, be entitled to a copy of the proceedings and sentence of such court.

ART. 115. A court of inquiry, to examine into the nature of any transaction of, or accusation or imputation against, any officer or soldier, may be ordered by the President or by any commanding officer; but, as courts of inquiry may be perverted to dishonorable purposes, and may be employed, in the hands of weak and envious commandants, as engines for the destruction of military merit, they shall never be ordered by any commanding officer, except upon a demand by the officer or soldier whose conduct is to be inquired of.

ART. 116. A court of inquiry shall consist of one or more officers, not exceeding three, and a recorder, to reduce the proceedings and evidence to writing.

ART. 117. The recorder of a court of inquiry shall administer to the members the following oath: "You shall well and truly examine and inquire, according to the evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward: so help you God." After which the president of the court shall administer to the recorder the following oath: "You, A B, do swear that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing: so help you God."

officer in command at any post or garrison, as the case may be, shall immediately secure all his effects then in camp or quarters, and shall make, and transmit to the office of the Department of War, an inventory thereof.

ART. 126. In case of the death of any soldier, the commanding officer of his troop, battery, or company shall immediately secure all his effects then in camp or quarters, and shall, in the presence of two other officers, make an inventory thereof, which he shall transmit to the office of the Department of War.

ART. 127. Officers charged with the care of the effects of deceased officers or soldiers shall account for and deliver the same, or the proceeds thereof, to the legal representatives of such deceased officers or soldiers. And no officer so charged shall be permitted to quit the regiment or post until he has deposited in the hands of the commanding officer all the effects of such deceased officers or soldiers not so accounted for and delivered.

ART. 128. The foregoing articles shall be read and published, once in every six months, to every garrison, regiment, troop, or company in the service of the United States, and shall be duly observed and obeyed by all officers and soldiers in said service.

SEC. 1343, Revised Statutes. All persons who, in time of war, or of rebellion against the supreme authority of the United States, shall be found lurking or acting as spies, in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be triable by a general court-martial, or by a military commission, and shall, on conviction thereof, suffer death.

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